



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 17583 OF 2025

BETWEEN:

CHANNAKESHAV B.S.
S/O HEMANTH KUMAR
AGED ABOUT 32 YEARS,
R/O BEVOORU VILLAGE
KOTTURU TALUK,
VIJAYANAGARA DISTRICT - 583 134.

...PETITIONER

(BY SMT. SARVAMANGALA CHIKKANAGOUDAR, ADVOCATE FOR
SRI. HIREMATHAD MAHESHAH RUDRAYYA, ADVOCATE)

AND:

STATE OF KARNATAKA
BY N.R. PURA PS
CHIKKMAGALURU DISTRICT - 577 113
REPRESENTED BY
THE STATE PUBLIC PROSECUTOR.
HIGH COURT BUILDINGS,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. RANGASWAMY R, HCGP)

THIS CRL.P IS FILED U/S 439 OF CR.PC (FILED U/S 483
BNSS) PRAYING TO ALLOW THE PETITION THEREBY GRANTING
THE REGULAR BAIL TO THE PETITIONER/ ACCUSED NO4 IN
SPL.C.NO.113/2025(CR.NO.43/2025 N.R.PURA POLICE
STATION ON THE FILE OF THE II ADDL. DISTRICT AND
SESSIONS JUDGE, CHIKKAMAGALURU, FOR THE OFFENCES
P/U/S 61(2)(a), 103(1), 3(5) OF BNS 2023.

Digitally signed
by BELUR
RANGADHAMA
NANDINI

Location: HIGH
COURT OF
KARNATAKA



THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

This petition is filed seeking bail under Section 483 of Bharatiya Nagarika Suraksha Sanhita, 2023. The Petitioner is accused No. 4 in Crime No. 43/2025 which is registered before N R Pura Circle Police Station and the complaint is filed on 25.05.2025 alleging death of one Sudharshan. The accused No. 1 is wife of deceased Sudharshan.

2. The remaining three accused including the petitioner are not the relatives of the deceased or accused No. 1.

3. The prosecution contends that accused No. 1 was having an affair with her former employer and the husband being aware of the affair was objecting to the conduct of the accused No. 1 and being fed up with that the accused No. 1 had conspired to eliminate her husband Sudharshan.



4. The case was initially registered pursuant to the information received by the PSI of the N R Pura Police Station and it was registered as unnatural death case.

5. The prosecution contends that after investigation, the accused No.1 revealed the conspiracy to eliminate Sudharshan at the instance of accused No. 1, his wife. 3. To substantiate the contention that the accused No. 1 had instigated accused Nos. 2 to 4 to eliminate Sudharshan, the prosecution has recovered the CCTV footage from a medical shop and from a wine shop, where it is alleged that accused No. 3 and 4 have purchased anti-depression pill Quetiapine. The said drug was mixed with alcohol and Sudharshan was made to consume that alcohol at the instance of accused Nos. 2 to 4 and when he fell asleep, he was killed by accused Nos. 3 and 4.

6. The accused having been arrested, the bail petition in S C No.113/2025 filed by the petitioner before the II Additional District and Sessions Judge at



Chikkamagaluru, is rejected in terms of order dated 11.12.2025. Hence, the petitioner is before this Court.

7. Learned counsel for appearing for the petitioner would submit that accused No. 4 is innocent and he is not involved in the commission of alleged offences and a false case is filed against accused No. 4. The accused No. 4 is willing to abide by any of the terms and conditions for his release on bail.

8. It is also submitted that the materials collected by the prosecution are not sufficient to make out a *prima facie* case against accused No. 4. The prosecution theory is defective and the contention that the Quetiapine drug is mixed with the alcohol and thereafter the deceased consumed the same and died cannot be accepted, given the fact that the Post Mortem Report does not indicate presence of Quetiapine in the blood. Had the deceased really consumed alcohol mixed with Quetiapine, the blood sample would have reflected the presence of Quetiapine in the blood. Thus, it is urged that assuming that accused



No. 4, was in the medical shop as well as the wine shop, it is not a ground to deny the bail and there is no eyewitness to the alleged incident and thus, the learned counsel urged that the petitioner be enlarged on bail.

9. Learned HCGP appearing for the respondent-State would submit that the prosecution has collected the credible materials which would point the guilt of the petitioner as well as the remaining accused. It is submitted that the CCTV footage would disclose the fact that the petitioner/accused No.4 was present along with the remaining accused Nos. 2 and 3 in the medical shop as well as in the wine shop. The doctor's report would reveal that the deceased was suffocated. Thus, the contention that the deceased was killed making him drink alcohol mixed with sleeping pills is very logical and these facts would indicate the involvement of the present petitioner. In addition, it is also urged that the owner of the medical shop has also given a statement confirming purchase of Quetiapine by accused Nos. 2 to 4.



10. Learned HCGP would submit that the Post Mortem was conducted on 25.05.2025 morning. Whereas the death has taken place in the evening on 23.05.2025. That being the position, even it is assumed that the traces of the sleeping pills were not found in the blood, that cannot be a ground to grant the bail.

11. Learned counsel appearing for the petitioner by way of reply would urge in case the deceased had died due to suffocation immediately after consumption of alcohol, then the drug would have been found in the blood sample. And in such a situation the drug would not have disappeared from the body of the deceased and the very fact that it is not found in the postmortem report would turn the prosecution theory upside down.

12. The Court has considered the contentions raised at the Bar and perused the records.

13. The *prima facie* indication which would point out to the guilt of the petitioner is the CCTV footage recovered



from the medical shop, where the petitioner is found along with the remaining accused, namely, accused Nos. 2 and 3. Though learned HCGP would submit that the CCTV footage is recovered from the wine shop, the charge sheet material would not indicate any such recovery. However, the Court is of the view that the prosecution has made out a *prima facie* case to deny the bail.

14. It is to be noticed that the prosecution has recovered the call details. Though the learned counsel for the petitioner would urge that the call details pertaining to the accused do not point out to the involvement of the petitioner as there is no call made to the petitioner by the accused No.1 to 3, the Court at this juncture is of the view that the presence of the petitioner in the medical shop along with other accused coupled with the statement of the owner of the medical shop is sufficient to take a view that the bail has to be denied at this stage.

15. Whether the accused purchased the sleeping pills and whether same was used along with the alcohol



and deceased was made to drink the same are the matters to be considered at the time of trial.

16. Considering the gravity of the offence and other circumstances noticed from the charge sheet, the Court is not inclined to grant the bail at this stage.

17. Hence, the petition is ***dismissed***.

18. The observations made in this order are only confined to the merits of the claim petition and should not be construed as reflection on the merit of the case pending before the Sessions Court.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

Bsv/CHS
List No.: 2 Sl No.: 3