HC-KAR

NC: 2026:KHC:54940
CRL.A No. 290 of 2026

CNR: KAHC010116952026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO.290 OF 2026 (U/S 14(A) (2)-)

BETWEEN:

1. MR CHANNAPPA @ RAJAIAH @ ANGADI RAJA
   SON OF LATE KEMPAIAH
   AGED ABOUT 68 YEARS
   RESIDENT OF NADABHOGANAHALLI VILLAGE
   SHEELANERE HOBLI,
   K.R.PETE TALUK,
   MANDYA DISTRICT-571426

…APPELLANT

(BY SRI. SHANKAR H S., ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
   K.R.PETE RURALPOLICE STATION,
   REPRESENTED BY
   STATE PUBLIC PROSECUTOR
   HIGH COURT BUILDING
   BANGALORE-560001

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Location: High Court of
Karnataka

2. SMT. PREMA
   WIFE OF REVANNA
   AGED ABOUT 36 YEARS
   RESIDING AT NADABHOGANAHALLI VILLAGE
   SHEELANERE HOBLI,
   K.R.PETE TALUK,
   MANDYA DISTRICT-571426.

…RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP FOR R1,
SRI. CLIFTON D. ROZARIO, ADV. FOR R2.)

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CRL.A FILED U/S 14(A)2) OF SC/ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 03.02.2026 PASSED BY THE ADDL. SESSIONS JUDGE FTSC-II MANDYA IN SPL.C.NO.09/2025 AND ENLARGE THE APPELLANT ON BAIL IN CR.NO.235/2024 (SPL.C.NO.09/2025) OF K.R.PETE RURAL P.S. REGISTERED FOR THE OFFENCE P/U/S 376(3),376(2)(n),376DA,450,149 OF IPC AND SEC.4,5(G),5(K),5(L),6,10 OF POCSO ACT AND UNDER SEC.3(1)(w),3(2)(v) OF SC/ST ACT PENDING ON THE FILE OF ADDL.SESSIONS JUDGE, FTSC-II MANDYA.

THIS APPEAL, COMING ON FOR ARGUMENTS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

1. The applicant has preferred this appeal challenging the order dated 03.02.2026 passed in Special Case No.9 of 2025 by the Additional Sessions Judge FTSC-II Mandya (for short, the "trial Court").

2. It is submitted by the learned Counsel for the appellant that the accused No.'s 1 and 3 to 5 have already been released on bail by virtue of order passed in Criminal Appeal No.4909 of 2025 decided on 29.04.2015 (A1), in Criminal Appeal No.1728 of 2025 decided on 03.09.2026 (A3); in Criminal Appeal No.2139 of 2025 decided on 05.11.2025 (A4) and in Criminal

Appeal No.1648 of 2025 decided on 17.10.2025 (A5). Further, it is submitted that the de-facto complainant/appellant has questioned the order passed by this Court before the Hon'ble Supreme Court in SLP (Diary) No. 70672 of 2025. The same came to be dismissed on 28.01.2026. The age of the present appellant is 69 years. The accusation against the present appellant/accused No.2 and accused No.'s 1 and 3 to 5 are one and the same. Hence, in view of principle of parity, appellant/accused No.2 is also entitled for bail on conditions. Accordingly, I proceed to pass the following:

O R D E R

i. Criminal Appeal is allowed;

ii. Order dated 15.07.2025 passed in Spl. Case.No.9 of 2025 by the Additional Sessions Judge FTSC-II Mandya, is set aside;

iii. The appellant/accused No.2 is ordered to be enlarged on bail in Crime No.235 of 2024 of respondent No.1 Police on executing a personal bond for some of Rs.1,00,000/- with one surety for likesum to the satisfaction of the trial Court;

iv. Appellant/accused No.2 shall appear before the trial Court on all hearing dates without fail;

v. Appellant/accused No.2 shall not threaten the prosecution witnesses;

vi. Appellant/accused No.2 shall not hamper the Court proceedings;

vii. Appellant/accused No.2 shall not leave the jurisdiction of the Court till a disposal of the case;

viii. Appellant/accused No.2 shall not indulge in any other criminal cases;

ix. In case the appellant/accused No.2 violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(G BASAVARAJA)
JUDGE

LNN
List No.: 1 Sl No.: 33