HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

CRIMINAL PETITION NO. 4899 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

SURESH S
S/O SHANMUKA. J,
AGED ABOUT 19 YEARS,
R/O 5TH CROSS, BOVICOLONY,
HOSAMANE, BHADRAVATHI,
SHIVAMOGGA – 577 301.

…PETITIONER

(BY SRI. HALLI SHANTAPPA BASAPPA., ADVOCATE)

AND:

Digitally signed by SUMA B N
Location: HIGH COURT OF KARNATAKA

THE STATE OF KARNATAKA
HOSMANE POLICE STATION,
BHADRAVATHI TWON CIRCLE,
SHIVAMOGGA – 577 301,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU – 560 001.

…RESPONDENT

(BY Ms. ASMA KOUSER., ADDL. SPP)

THIS CRL.P FILED U/S 439 CR.P.C (U/S 483 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO ENLARGE/RELEASE THE PETITIONER/ACCUSED NO.11 ON BAIL ARISING OUT OF CR.NO.91/2025, FOR THE OFFENCES P/U/S 103(1), 189(2), 189(4), 191(2), 191(3), 190, 238, 54 OF BNS, 2023, PENDING BEFORE THE LEARNED IV ADDL. DISTRICT AND SESSIONS JUDGE, AT SHIVAMOGGA, SITTING AT BHADRAVATHI IN SC.NO.5046/2025.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

The petitioner/accused No.11 is before this Court seeking grant of regular bail in S.C.No.5046/2025 pending on the file of IV Additional District and Sessions Judge, Shivamogga (Sitting at Bhadravathi), arising out of Crime No.91/2025 registered by Hosamane Police Station for the offence under Sections 103(1), 189(2), 189(4), 191(2), 192(3), 190, 238 and 54 of the Bharatiya Nyaya Sanhita, 2023.

Brief facts of the case:

2. A complaint dated 06.05.2025 came to be filed by one Deepak alleging that his brother Arun Kumar was

assaulted by certain persons, causing him injuries by knives and he has been taken to hospital. On enquiry, it was learnt that victim was playing cricket with his friends, a quarrel broke out resulting in accused persons assaulting the victim causing him grave injury. That the victim succumbed to the said injuries during the treatment.

3. Learned counsel for the petitioner submits that petitioner herein was not named in the complaint initially. His name was added during the investigation. He refers to column No.17 of the charge sheet to indicate that except allegation of him inciting the other accused, there is no overt act attributed to him. He also submits that accused Nos.2 to 10 have been granted bail by the Co-ordinate Bench of this Court.

4. Considering the averments and allegations made in the complaint and charge sheet, wherein no overt act has been attributed against the petitioner who is though arrayed as accused No.11 and since accused Nos.2 to 10 are stated to have been granted bail, even on

principle of parity, this Court deems it appropriate to grant the bail.

5. Accordingly, the following:

ORDER

(i) The petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in S.C.No.5046/2025 pending on the file of IV Additional District and Sessions Judge, Shivamogga (Sitting at Bhadravathi), arising out of Crime No.91/2025 registered by Hosamane Police Station for the offence under Sections 103(1), 189(2), 189(4), 191(2), 192(3), 190, 238 and 54 of the Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:

a) Petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court

unless the Trial Court exempts his appearance for valid reasons;

c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioner shall not involve in similar offences in future;

e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

Sd/-
(M.G.S. KAMAL)
JUDGE

NR/-
List No.: 4 Sl No.: 18