HC-KAR

NC: 2026:KHC:59991
CRL.A No. 950 of 2026

CNR: KAHC010381902026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO. 950 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. NAVEEN N A
   S/O. LATE DASAPPA,
   AGED ABOUT 29 YEARS,
   R/O KAGGALIPURA VILLAGE,
   THATTAGUPPA ROAD,
   KANAKAPURA MAIN ROAD,
   BENGALURU.
   PIN CODE NO 562162

2. AKHIL.B,
   S/O. DEVAAKUMAR,
   AGED ABOUT 21 YEARS,
   RO NO. 11/87A,
   MALA STREET,
   YADDAKKI MANDAL,
   TALAPATHRI VILLAGE AND TALUK,
   AANDAPURA DISTRICT,
   ANDRAPRADESH-515 408

   PRESENTLY RESIDING AT
   ADAKAMARANAHALLI,
   UNITY SOCIAL SERVICES
   REHAB CENTER BENGALURU.
   PIN CODE NO 5162162

...APPELLANTS

(BY SRI. RAJU C N.,ADVOCATE)

Digitally signed by LAKSHMINARAYAN N
Location: High Court of Karnataka

AND:

1. STATE BY MADANAYAKANAHALLI POLICE
   BENGALURU, REPRESENTED BY SPP
   HIGH COURT OF KARNATAKA AT
   BANGALORE-560009.

2. ADILAKSHMI,
   W/O P.N.GOPI
   AGED ABOUT 43 YEARS,
   R/AT. 43, NO.72, 10TH CROSS,
   SONNENAHALLI, VIVEK NAGARA POST,
   BENGALURU-560047.

…RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP. FOR R1,
SRI. RAMESH H. N., ADV. FOR R2.)

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 05.03.2026, PASSED BY THE 2ND ADDL. DIST. AND SESSIONS JUDGE AND SPL. JUDGE BENGALURU RURAL DIST. BENGALURU IN CRL.MISC.NO.42/2026 ARISING OUT OF CR.NO.999/2025 OF MADANAYAKANAHALLI P.S. BENGALURU AND ENLARGE THE APPELLANTS ON BAIL FOR THE OFFENCE P/U/S 105,115(2),118(1)(2),127(2),238 R/W 3(5)(6)(7) OF BNS AND SEC.3(2)(V) OF SC/ST (POA) ACT BY ALLOWING THIS APPEAL.

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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

1. The appellants who are accused Nos.2 and 3 have preferred this appeal against the order dated 05.03.2026 passed in Crl.Misc.No.42/2026 by the II Addl. District and Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru (for short, 'the trial Court').

2. I have heard the arguments on both sides.

3. On the basis of the complaint filed by Smt. Adilakshmi, Madanayakanahally Police have registered the case in Crime No.999/2025 against accused Nos.1 to 4 for the offence punishable under Sections 103(1), 127(3), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 3(2)(v) of SC and ST (POA) Act, 1989.

4. During the course of investigation, the present appellants-accused Nos.2 and 3 were arrested on 23.12.2025 and application was filed under Section 483 of BNSS, 2023. Same came to be dismissed. Being aggrieved

by the rejection of application, the appellants have preferred this appeal.

5. The learned counsel for appellants would submit that the charge sheet is already filed. The present appellants are not required for further investigation. The charge sheet is filed under Sections 105, 115(2), 118(1)(2), 127(2), 238 read with 3(5)(6)(7) of BNS 2023, read with 3(2)(v) of SC and ST (POA) Act, 1989. The Co-ordinate Bench of this Court has granted bail to accused No.1 in Crl.A.No.595/2026, accused Nos.11, 12 and 13 in Crl.A.No.655/2026 clubbed with Crl.A.No.656/2026 and accused No.10 in Crl.A.No.513/2026 and accordingly, sought for allowing the application.

6. As against this, the learned counsel for respondent No.2 Sri Ramesh H N, and the learned HCGP Sri K. Nageshwarappa do not dispute that other accused are already granted bail.

7. I have examined the materials placed before this court. On the basis of the complaint filed by Smt. Adilakshmi, Madanayakanahally Police have registered the case in Crime No.999/2025 against accused Nos.1 to 4 for the offence punishable under Sections 103(1), 127(3), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 3(2)(v) of SC and ST (POA) Act, 1989.

8. After investigation, the Investigating Officer has submitted charge sheet against accused Nos.1 to 13 for the offence punishable under Sections 105, 115(2), 118(1)(2), 127(2), 238 read with 3(5)(6)(7) of BNS 2023, read with 3(2)(v) of SC and ST (POA) Act, 1989.

9. At the time of filing charge sheet, the IO has dropped the offence under Sections 103(1), 127(3) of BNS, 2023. The commission of alleged offence under Section 105 of BNS, 2023 is punishable with imprisonment of either description for a term which may extend to 10 years and with fine.

10. Considering the nature & gravity of offence, prior antecedents of the appellants and granting of bail to other accused by the Co-ordinate Bench of this Court, I proceed to pass the following:

O R D E R

(i) Appeal is **allowed**;

(ii) The order dated 05.03.2026 passed in Crl.Misc.No.42/2026 by the II Addl. District & Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru, is hereby **set aside**; Consequently, application filed under Section 483 of BNSS, 2023 is **allowed,** subject to following conditions:

a) Appellants/accused Nos.2 and 3 shall be released on bail on executing self-bond of Rs.1,00,000/- each with one surety each for likesum to the satisfaction of the trial Court;

b) Appellants/accused Nos.2 and 3 shall not tamper or threaten the prosecution witnesses in any manner;

c) Appellants/accused Nos.2 and 3 shall appear before the Court on all the dates of hearing.

Sd/-
(G BASAVARAJA)
JUDGE

KBM,DHA
List No.: 1 Sl No.: 37