HC-KAR

NC: 2026:KHC:60624
CRL.A No. 1351 of 2026

CNR: KAHC010540342026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO. 1351 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. REDDAPPA REDDY @ REDDAPPAREDDY
   S/O K KANNAREDDY
   AGED ABOUT 37 YEARS
   R/AT VEERANAHALLI VILLAGE
   BIDARAHALLI HOBLI
   BENGALURU EAST TALUK
   BENGALURU-560049

…APPELLANT

(BY SRI. MOHAMMED TAHIR.,ADVOCATE)

AND:

1. STATE BY AVALAHALLI POLICE STATION
   REPRESENTED BY
   STATE PUBLIC PROSECUTOR,
   HIGH COURT COMPLEX BUILDING,
   BENGALURU-560001.

Digitally signed by
LAKSHMINARAYAN N
Location: High Court
of Karnataka

2. ARAVINDA
   S/O SRINIVASALU
   AGED ABOUT 28 YEARS
   R/AT BATTALAPURAM VILLAGE,
   CHOWDEPALLI MANDALAM
   CHITTOOR DISTRICT,
   ANDHRA PRADESH-517257

…RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP. FOR R1,
V/O DATED: 15.10.2026 SRI. N. SRINIVAS, AMICUS CURIAE FOR R2.)

CRL.A. FILED U/S 14(A)(2) OF SC/ST (POA) ACT, 2015 BY THE ADVOCATE FOR THE APPELLANT/S PRAYING THAT THIS HONBLE COURT MAY BE PLEASED TO SET ASIDE THE IMPUGNED ORDER DATED 17.07.2026 PASSED IN CRL.MISC NO.1287/2026 BY THE II ADDL.DISTRICT AND SESSIONS JUDGE, BENGALURU RUAL DISTRICT AS ANNEXURE-A CONSEQUENTLY GRANT REGULAR BAIL TO THE APPELLANT IN THE SPL.C NO.1062/2024 ARISING OUT OF CR NO.359/2024 OF RESPONDENT NO.1 AVALAHALLI POLICE STATION FOR THE ALLEGED OFFENCES U/S 103, 238 OF BNS AND SECTIONS 3(2)(v) OF SC AND ST AMENDMENT ACT 2015 NOW PENDING BEFORE THE II ADDL.DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT APPELLANT IS ARRAYED AS ACCUSED NO.1.

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 appellant has preferred this appeal against the order dated 17.07.2026 passed in Crl.Misc.No.1287/2026 by the II Addl. District and Sessions Judge, Bengaluru Rural District, Bengaluru (for short, 'the trial Court').

2. Despite service of notice, respondent No.2 remained absent and unrepresented. Hence, Sri N. Srinivas

is appointed as Amicus Curiae to represent respondent No.2.

3. I have heard the arguments of the learned counsel for the appellant Sri Mohammed Tahir, the learned HCGP Sri K Nageshwarappa and Amicus Curiae Sri N Srinivas for respondent No.2

4. The learned counsel for the appellant would submit that the appellant was arrested on 26.10.2024 and he was remanded to judicial custody. Bail application was filed and same came to be dismissed in Crl.Misc.No.928/2025 dated 12.06.2025. Being aggrieved by the dismissal order, the appellant had preferred appeal before this Court in Criminal Appeal No.2043/2025. Same came to be dismissed on 18.11.2025.

5. The trial Court has framed the charges against the accused on 08.01.2026. Accused pleaded not guilty and case was posted to await properties since 08.01.2026. Till today, the IO has not produced the properties. Hence,

bail application was filed in Crl.Misc.No.1287/2026, but same came to be dismissed. Being aggrieved by this order, the appellant has preferred this appeal.

6. On careful examination of the entire materials on record, it is clear that, the IO has not produced the properties before the trial Court since 08.01.2026 till this day. This Court has issued a notice to the IO to submit his explanation and also to produce the properties before the trial Court. However, the IO has not complied the order of this Court and has failed to appear before this Court. Instead of that, Sri Naveed, Sub-Inspector of Police, Avalahalli Police Station, is present before the Court and submitted that they will produce the properties. No explanation is submitted by the IO or the PSI, Naveed for non-production of properties till this day. The trial Court has also issued several reminders to the IO to submit properties and explanation also called for by the trial Court. However, the IO has not appeared before the Trial Court

and submitted his explanation for non-production of properties. Due to the non-compliance of the order of this Court and non-production of the properties till this day, the evidence is not yet commenced. The accused is in Judicial Custody for more than 2 years. However, the trial is not commenced. On this ground, without expressing any opinion on the merits of the case, because of the negligence on the part of the IO, it is just and proper to grant bail. Accordingly, I proceed to pass the following:

O R D E R

(i) Appeal is **allowed;**

(ii) The Order dated 17.07.2026 passed in Crl.Misc.No.1287/2026 by the II Addl. District and Sessions Judge, Bengaluru Rural District, Bengaluru, is herby **set aside**; Consequently, application is filed under Section 483 of BNSS, 2023 is **allowed**;

a) The appellant/accused shall be released on bail on executing a self bond of Rs.1,00,000/- with one surety for likesum to the satisfaction of the trial Court;

b) The appellant/accused shall appear before the trial Court on all the dates of hearing, without fail.

c) The appellant/accused shall not tamper or threaten the prosecution witnesses in any manner.

Registry is directed to communicate this order to the trial Court.

Sd/-
(G BASAVARAJA)
JUDGE

DHA
List No.: 1 Sl No.: 34