HC-KAR

NC: 2026:KHC:55137
CRL.P No. 12375 of 2026

CNR: KAHC010559082026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12375 OF 2026

BETWEEN:

MAHABOOB SHARIF @ MAHABOOB BASHA
S/O PYARE JAN
AGED 30 YEARS,
R/O WARD NO.22,
PRASHANTHNAGAR,
DEVANAHALLI TOWN,
BENGALURU RURAL DISTRICT
BENGALURU - 562 110.

...PETITIONER

(BY SRI. NASIR ALI., ADVOCATE)

AND:

Digitally signed by NANDINI M S
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
BY DEVANAHALLI POLICE STATION
DEVANAHALLI,
BENGALURU RURAL DISTRICT
[REP. BY LEARNED STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1;
Notice to R2 held sufficient vide order
dated 05.10.2026)

CNR: KAHC010559082026

THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ENLARGE HIM ON BAIL IN CRIME NO.80/2026 OF DEVANAHALLI POLICE STATION, BENGALURU RURAL DISTRICT, BENGALURU WHICH IS PENDING IN SPI.C.C.NO.683/2026 ON THE FILE OF ADDL. DISTRICT AND SESSIONS JUDGE, FTSC-I BENGALURU RURAL DISTRICT, BENGALURU, REGISTERED FOR OFFENCES P/U/S 8 & 12 OF POCSO ACT AND SEC.351(2) OF BNS ACT, ETC.,

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused in Spl.C.No.683 of 2026 pending before the Court of Additional District and Sessions Judge, FTSC-1, Bengaluru Rural District, arising out of Crime No.80 of 2026 registered by Devanahalli Police Station, Bengaluru for the offence punishable under Sections 8 and 12 of POCSO Act and Section 351(2) of the BNS is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard Sri.Nasir, learned counsel appearing for the petitioner and Sri.Channappa Erappa, learned HCGP appearing for Respondent No.1/State.

3. Respondent No.2 who is served in the matter has remained unrepresented before this Court.

4. FIR in Crime No.80 of 2026 was registered by Devanahalli Police Station, Bengaluru for offences punishable under Sections 8 and 12 of POCSO Act, 2012 against unknown person, based on the first information dated 24.04.2024 received from Respondent No.2 who is the mother of the victim, aged seven years. During the course of investigation, petitioner was arrested and remanded to judicial custody on 04.05.2026. His bail application filed before the Trial Court in Crl.Misc.No.1657 of 2026 was rejected on 06.08.2026. Therefore, he is before this Court.

5. In the first information, which is registered against unknown persons, it is stated that on 23.04.2026,

the victim girl had alleged that one person who had come near their house allegedly misbehaved with her and touched her private parts inappropriately. It is under these circumstances, FIR was registered against unknown person for the aforesaid offences. Investigation of the case is now completed and charge-sheet is filed. Petitioner aged 30 years, who has no other criminal antecedents, is in custody for the last five months. Maximum punishment for the aforesaid offences is imprisonment for a period of five years. Considering the nature of allegations found against the petitioner and also having regard to the aforesaid aspects of the matter, the following:

ORDER

(i) The petition is ***allowed***. The petitioner is directed to be enlarged on bail in Spl.C.No.683 of 2026 pending before the Court of Additional District and Sessions Judge, FTSC-1, Bengaluru Rural District, arising out of Crime No.80 of 2026 registered by Devenahalli Police Station, Bengaluru for offences punishable under

Sections 8 and 12 of POCSO Act and Section 351(2) of the BNS, 2023, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like-sum, 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.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DH
List No.: 1 Sl No.: 58