HC-KAR
CNR: KAHC010613592026

NC: 2026:KHC:63866
CRL.P No. 13934 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO.13934 OF 2026

BETWEEN:

1. SRI. VIJAY KUMAR @ NAVEEN
   S/O LATE PAPANNA
   AGED ABOUT 27 YEARS
   R/AT. KOTHURU GRAMA
   CHINTAMANI TALUK
   CHIKKABALLAPUR DISTRICT 563 125.

…PETITIONER

(BY SRI. DEVENDRA N, ADV.,)

AND:

1. STATE OF KARNATAKA
   BY CHINTAMANI RURAL POLICE STATION
   CHIKKABALLAPUR
   REP. BY STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   BENGALURU 560 001.

2. XXX
   REP. BY HER NATURAL
   GUARDIAN /FATHER SRI. ANJAPPA
   S/O NAREPPA
   AGED ABOUT 36 YEARS
   R/AT N. KOTTHURU VILLAGE AND POST
   CHINTAMANI TALUK
   CHIKKABALLAPUR DISTRICT- 563 125.

Digitally signed by
BS RAVIKUMAR
Location: HIGH
COURT OF
KARNATAKA

3. THE CHAIRMAN
CHILD WELFARE COMMITTEE
CHIKKABALLAPUR
CHIKKABALLAPUR DISTRICT - 563 101.

…RESPONDENTS

(BY SRI. RAHUL RAI K, HCGP FOR R1 & R3
SRI. SHARATH J.M. ADV., FOR R2)

THIS CRL.P IS FILED U/S 439 OF CR.P.C. (U/S 483 BNSS) PRAYING TO ENLARGE HIM ON BAIL IN SPL.SC.NO.115/2026 ARISING OUT OF CR.NO.103/2026 REGISTERED BY THE 1st RESPONDENT IN CHINTAMANI RURAL P.S., PENDING BEFORE THE ADDL. DISTRICT AND SESSIONS JUDGE, FTSC-I, CHIKKABALLAPUR, FOR THE OFFENCES P/U/S 64(2)(m), 65(1), 88 OF BNS, 2023, U/S 5(J)(ii), 5(L), 6, 21 OF POCSO ACT, 2012 & 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 No.1 in Spl.SC No.115/2026 pending before the Court of Additional District and Sessions Judge and Special Judge, FTSC-I, Chikkaballapura, arising out of Crime No.103/2026 registered by Chintamani Rural Police Station, Chikkaballapura, for offences punishable under Sections 64(2)(m), 64(1), 88 of Bharatiya Nyaya Sanhita (BNS), 2023, and Section 5(j)(ii), 5(l), 6, 21 of the Protection of Children from Sexual Offences Act, 2012, is

before this Court in this petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.103/2026 was registered by Chintamani Rural Police Station, Chikkaballapura, for the for offences punishable under Sections 64(2)(m), 65(1), 88 of Bharatiya Nyaya Sanhita (BNS), 2023, and Section 5(j)(ii), 5(l), 6, 21 of the Protection of Children from Sexual Offences Act, 2012, against the petitioner and another based on the first information dated 24.03.2026 received from the victim aged about 16 years 6 months. During the course of investigation of the said case, petitioner herein was arrested on 25.03.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against two persons. Petitioner is arrayed as accused No.1 in the charge sheet. His bail application filed before the Trial Court in

Cr.No.103/2026 was rejected on 29.04.2026. Therefore, he is before this Court.

4. A reading of the charge sheet material would go to show that the victim girl is pursuing her first year of para medical course and petitioner herein is her close relative. It appears that petitioner used to visit the house of the victim girl and subsequently they started loving each other. Statement of the victim girl under Section 183 BNSS, 2023, has been recorded in the present case by the jurisdictional Magistrate on 26.03.2026. In the said statement, victim girl has stated that she is in love with the petitioner and she had consensual sex with him and as a result, she was pregnant. Therefore, her mother had taken her to hospital in the month of August 2025 and her pregnancy was aborted; subsequently, she once again got pregnant, and she had gone to the hospital and got her pregnancy aborted. Thereafter, her parents and relatives came to know about her relationship with the petitioner and therefore, she was being ill-treated in her house.

Therefore, she had called the petitioner and had informed about the ill-treatment meted out on her by her parents and relatives. Petitioner, therefore, allegedly called child marriage helpline and informed that the marriage of the victim, who is a minor was being performed. Therefore, the victim and her father were summoned to the District Child Care center and after the victim revealed about her relationship with petitioner she was taken to the police station and FIR was registered against the petitioner. She has stated that she is still in love with the petitioner and had consensual sex with him.

5. Petitioner aged 27 years having no other criminal antecedents is in custody in this case for the last more than seven months. Investigation of the case is already completed and trial in the case is yet to commence. Considering the age of the parties and also the statement of the victim girl, who has categorically stated that she is in love with the petitioner and her parents and other members of the family have been opposing her

relationship, I am of the opinion that, without expressing any opinion on the merits and demerits of the case, the prayer made by the petitioner for grant of regular bail needs to be answered in the affirmative subject to appropriate conditions. Accordingly, the following:

ORDER

(i) The Criminal petition is ***allowed***. The petitioner is directed to be enlarged on bail in Spl.SC No.115/2026 pending before the Court of Additional District and Sessions Judge and Special Judge, FTSC-I, Chikkaballapura, arising out of Crime No.103/2026 registered by Chintamani Rural Police Station, Chikkaballapura, for offences punishable under Sections 64(2)(m), 64(1), 88 of Bharatiya Nyaya Sanhita (BNS), 2023, and Section 5(j)(ii), 5(l), 6, 21 of the Protection of Children from Sexual Offences Act, 2012, subject to the following conditions:

a) Petitioner shall execute a 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/-
(S VISHWAJITH SHETTY)
JUDGE

BSR
List No.: 1 Sl No.: 32