HC-KAR

NC: 2026:KHC:59405
CRL.P No. 13797 of 2026

CNR: KAHC010614882026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13797 OF 2026

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

BETWEEN:

PERIYA SWAMY @ MANI @ MANIKANTA
S/O. SUBRAMANI,
AGED ABOUT 21 YEARS,
R/AT NO.18, MUTTURAJU BEEDI,
MOHANURU VILLAGE,
NAMAKAL TOWN, TAMIL NADU-637001,

ALSO R/ AT NO.67,
KOTTAIMEDU, KUPPUCHIPALAYAM,
KARUR, TAMIL NADU-637001.

...PETITIONER

(BY SRI. KRISHNA GOWDA M., ADVOCATE FOR
SMT. SHIVAMMA D.,ADVOCATES)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

AND:

STATE OF KARNATAKA
STATE BY MAGADI ROAD P.S.
RPTD BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE- 560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA., HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC PRAYING TO PASS AN ORDER OF BAIL ENLARGING THE PETITIONER IN

CRIME NO. 310/2025 OF MAGADI ROAD POLICE, NOW IN C.C.NO.20137/2025 AND ON THE FILE OF XXIV ADDITIONAL CHIEF JUDICIAL MAGISTRATE AT BANGALORE FOR THE OFFENCE PUNISHABLE U/S 61 AND 103 (1) OF BNS ACT 2023 AND U/S 25,27,7 OF ARMS ACT 1959.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.4 in Crime No.310 of 2025 registered by Magadi Road Police Station, Bengaluru for the offences punishable under Section 103(1) 61 of the Bharatiya Nyaya Sanhita, 2023 and Sections 7, 25 and 27 of the Arms Act, 1959 is before this Court in this petition filed under Section 483 of BNSS seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.310 of 2025 was registered by Magadi Road Police Station, Bengaluru against one Balamurugan based on the first information dated

23.12.2025 received from Sri Chandrashekhar.D, Police Officer attached to Magadi Road Police Station, Bengaluru. During the course of the investigation, the petitioner herein was arrested on 14.01.2026 and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.4929/2026 was dismissed on 15.06.2026. Therefore, he is before this Court.

4. FIR in the present case has been registered against Balamurugan, who is arrayed as Accused No.1 in the charge sheet. Undisputedly, the petitioner's name is not found in the FIR. During the course of the investigation, he was arrested and charge sheet has been filed against seven persons in which the petitioner is arrayed as Accused No.4. In the charge sheet it is stated that the deceased Bhuvaneshwari was the wife of Accused No.1 and their marriage was performed in the year 2011. It is alleged that the relationship between accused No.1 and his

wife, Smt.Bhuvaneshwari was not cordial, and they were regularly quarrelling with each other. Accused no.1 was suspecting the character of his wife. In the year 2023, Accused no.1 had deserted his wife and was living separately. Since Bhuvaneshwari had issued a divorce notice to Accused No. 1, he got enraged and decided to eliminate her.

5. It is alleged in the charge sheet that accused no.1 had conspired with Accused Nos.2 to 7 to commit the murder of his wife, Smt.Bhuvaneshwari and in furtherance of such conspiracy, on 23.12.2025, based on the information given by accused No.2 regarding the whereabouts of Smt.Bhuvaneshwari, accused no.1 came to the spot of crime and allegedly had shot dead his wife with an unlicensed pistol. Undisputedly, the petitioner was not present at the spot of crime. Accused No.2 has been granted regular bail in the present case by the jurisdictional Sessions Court in Crl.Misc.No.3331/2026 vide order dated 27.04.2026. It is not in dispute that the

petitioner has no other criminal antecedents. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively.

5. Accordingly, the following:

ORDER

i) The Criminal Petition is ***allowed***;

ii) The petitioner is directed to be enlarged on bail in Crime No.310 of 2025 registered by Magadi Road Police Station, Bengaluru for the offences punishable under Section 103(1) 61 of the Bharatiya Nyaya Sanhita, 2023 and Sections 7, 25 and 27 of the Arms Act, 1959 subject to the following conditions:

a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) 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

hkh.
List No.: 1 Sl No.: 34