HC-KAR

NC: 2026:KHC:61488
CRL.P No. 14043 of 2026

CNR: KAHC010624972026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14043 OF 2026

BETWEEN:

AKASHA
S/O. BHIMA NAIK,
AGED ABOUT 25 YEARS,
R/O NALINAKOPPA VILLAGE,
SHIKARIPURA TALUK,
SHIVAMOGGA DIST. - 577 427.

...PETITIONER

(BY SRI. PRASHANTH D, ADVOCATE)

AND:

1. THE STATE BY SHIKARIPURA RURAL
POLICE STATION, SHIVAMOGGA,
REPRESENTED BY SPP,
HIGH COURT BUILDING,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

2. XXXXX
AGED ABOUT 17 YEARS,
SINCE MINOR,
REP. BY HER MOTHER,
LAKSHMI BAI
W/O VASANTH NAIK
AGED ABOUT 39 YEARS,
R/O NALINAKOPPA VILLAGE,

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

SHIKARIPURA TALUK,
SHIVAMOGGA DIST. - 577 427.

…RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1;
SRI. N.S. SAMPANGIRANAIAH, ADVOCATE)

THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS) OF CR.P.C PRAYING TO DIRECT THE RESPONDENT POLICE TO ENLARGE THE PETITIONER ON BAIL IN SPL.C.NO.220/2026 AND REGISTERED BY SHIKARIPURA RURAL POLICE STATION IN CRIME NO.118/2026 FOR OFFENCE P/US/ 127(3), 137(2), 64(2)(f), 64(2)(m), 87 OF BNS ACT AND SEC.17, 6, 21 OF POCSO ACT BEFORE THE ADDL DISTRICT AND SESSIONS JUDGE, FTSC I (POCSO) SHIVAMOGGA, SHIVAMOGGA BY GRANTING BAIL.

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 Special Case No.220 of 2026 pending before the Court of Additional District and Sessions Judge, FTSC-1 (POCSO), Shivamogga, arising out of Crime No.118 of 2026 registered by Shikaripura Rural Police Station, Shivamogga for the offences punishable

under Section 127(3), 137(2), 64(2)(f), 64(2)(m) and 87 of BNS, 2023 and Section 17, 6 and 21 of POCSO Act, 2012, is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.118 of 2026 was registered by Shikaripura Rural Police Station, Shivamogga for the offence punishable under Section 137 (2) of BNS, 2023 against unknown person, based on the first information dated 09.04.2026 received from respondent No.2, who is the mother of the victim girl, aged about 16 years 9 months. In the said case, the petitioner was arrested on 17.05.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against 4 persons and petitioner is arrayed as accused No.1 in charge sheet. His bail application filed before the Trial Court in Crl.Misc.No.849 of 2026 was rejected on 19.08.2026. Therefore, he is before this Court.

4. A reading of the first information dated 09.04.2026 submitted by the mother of the victim girl would reveal that the victim girl was found missing from her house on 08.04.2026. Efforts made to trace her had failed and therefore, on the next day, her mother had approached the police. During the course of investigation, the petitioner and the victim girl were traced. Petitioner was arrested and remanded to judicial custody. The statement of the victim girl under Section 183 of BNSS, 2023 was recorded by the Court of jurisdictional Magistrate on 19.05.2026. In the said statement, the victim girl has stated that she was acquainted with the petitioner for the last 2 to 3 years and that they are in love. She has not made any allegations in the said statement, which would attract the offences punishable under Section 4 or 6 of the POCSO Act, against the petitioner.

5. 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, subject to appropriate conditions. Accordingly, the following:

O R D E R

(i) The Criminal Petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in Special Case No.220 of 2026 pending before the Court of Additional District and Sessions Judge, FTSC-1 (POCSO), Shivamogga, arising out of Crime No.118 of 2026 registered by Shikaripura Rural Police Station, Shivamogga for the offences punishable under Section 127(3), 137(2), 64(2)(f), 64(2)(m) and 87 of BNS, 2023 and Section 17, 6 and 21 of POCSO Act, 2012, subject to the following conditions:

a) The petitioner shall execute 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

AMM
List No.: 1 Sl No.: 46