HC-KAR

NC: 2026:KHC:59709
CRL.P No. 14077 of 2026

CNR: KAHC010635832026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14077 OF 2026

BETWEEN:

MR. PREM J @ PREM
S/O LATE J. JAYASHEELAN,
AGED ABOUT 42 YEARS,
RESIDING AT NO.68,
1ST MAIN ROAD, 6TH CROSS,
BHUVANESHWARI NAGARA,
R.T. NAGARA POST,
BENGALURU - 560 032.

...PETITIONER

(BY SRI. SHETTY DEEPAK, ADVOCATE)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

STATE OF KARNATAKA
BY SAMPIGEHALLI P.S.,
BENGALURU CITY,
REP. BY THE HCGP,
HIGH COURT COMPLEX,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS) OF CR.P.C PRAYING TO ENLARGE THE PETITIONER ON BAIL IN S.C.NO.1040/2026 (CRIME NO.83/2026 REGISTERED BY THE

SAMPIGE HALLI POLICE STATION), BENGALURU FOR THE OFFENCE P/S /3(5), 103(5), 109(1), 126(2), 189(2), 189(4), 238, 191(2), 191(3), 190, 351(2), 351(3), 352, 61(2) OF BNS 2023 PENDING ON THE FILE OF THE LEARNED IN THE COURT OF THE LXVI ADDL CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY (CCH-67) BENGALURU.

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.6 in SC.No.1040/2026, pending before the Court of LXVI Additional City Civil and Sessions Judge, Bengaluru City (CCH-67), arising out of Crime No.83/2026 registered by Sampigehalli Police Station, Bengaluru, for offences punishable under Sections 61(2), 103(1) 109(1), 126(2), 238, 189(2), 189(4), 191(2), 191(3), 351(2), 351(3), 352 read with Section 3(5) of BNS, 2023, 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.83/2026 was registered by Sampigehalli Police Station, Bengaluru, against the petitioner and others, based on the first information dated 25.02.2026 received from Smt. Komala, mother of the deceased, Pavan Kumar. In the said case, the petitioner was arrested on 27.02.2026 and remanded to judicial custody. After completing the investigation, charge sheet is filed against seven persons, and the petitioner is arrayed as accused No.6 in the charge sheet. His bail application filed before the Jurisdictional Sessions Court in Crl.Misc.No.7463/2026 was rejected on 31.08.2026, therefore, he is before this Court.

4. A reading of the material on record would go to show that the deceased, Pavan Kumar, was a rowdy sheeter and was involved in the murder of Kapil, brother of the petitioner herein. After Pavan Kumar was released from jail in the said case in the month of May 2025, the

petitioner allegedly had conspired with accused Nos. 1 to 5 and 7 to commit the murder of Pavan Kumar. In furtherance of the said conspiracy, accused Nos. 1 to 5 had assaulted Pavan Kumar with deadly weapons on 25.02.2026 and committed his murder. Accused No. 7 allegedly had given information about the whereabouts of Pavan Kumar to the assailants. Accused No. 7 has been granted regular bail by this Court in Crl.P. No. 12187/2026, disposed of on 09.09.2026.

5. Insofar as the petitioner is concerned, the allegation against him is that he had a strong motive to commit the murder of Pavan Kumar, and therefore he had conspired with the other accused and also had supplied weapons to them. However, no material has been collected by the Investigating Officer in the present case to show that the weapons used by accused Nos. 1 to 5 to commit the murder of Pavan Kumar were supplied by accused No. 6. It is also not the case of the prosecution

that the services of accused Nos. 1 to 5 were engaged by the petitioner by paying them.

6. It is not in dispute that the petitioner has no other criminal antecedents. It is also not in dispute that accused Nos. 1 to 5 were all friends of the deceased Kapil, and they also had a strong motive for committing the murder. Considering the aforesaid aspects of the matter, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

ORDER

The Criminal Petition is allowed. The petitioner is directed to be enlarged on bail in SC.No.1040/2026, pending before the Court of LXVI Additional City Civil and Sessions Judge, Bengaluru City (CCH-67), arising out of Crime No.83/2026 registered by Sampigehalli Police Station, Bengaluru, for offences punishable under Sections 61(2), 103(1), 109(1), 126(2), 238, 189(2), 189(4),

191(2), 191(3), 351(3), 351(2), 352 read with Section 3(5) of BNS, 2023, 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

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List No.: 1 Sl No.: 74