HC-KAR

NC: 2026:KHC:59393
CRL.P No. 14662 of 2026

CNR: KAHC010651312026

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. 14662 OF 2026 (439(Cr.PC) / 483(BNSS))

BETWEEN:

MR. MOHAMED SYED ANSARI
S/O. MOHAMMED ANSARI
AGED ABOUT 37 YEARS
R.AT.NO.303, 4TH FLOOR
JANARDHANA SHUBHA,
MEDAHALLI VILLAGE
ANEKAL TALUK,
BENGALURU DISTRICT -562 106.

...PETITIONER

(BY SRI. NISHAD S A.,ADVOCATE)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

STATE OF KARNATAKA
ATTIBELE POLICE STATION
REP BY HCGP/SPP
HIGH COURT OF KARNATAKA BUILDING
BANGALORE-560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K.,HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC PRAYING TO ALLOW THIS CRIMINAL PETITION AND ENLARGE THE PETITIONER / ACCUSED ON REGULAR BAIL IN S.C.NO.5051/2025, ARISING OUT OF CRIME. NO. 515/2024 OF THE RESPONDENT ATTIBELE POLICE STATION, PENDING ON THE FILE OF THE LEARNED III ADDL. DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT, SITTING AT ANEKAL, FOR OFFENCES PUNISHABLE

UNDER SECTIONS 103(1) AND 238(a) OF THE BHARATIYA NYAYA SANHITA, 2023 AND 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

1. Accused in S.C.No.5051 of 2025 pending before the Court of III Additional District and Sessions Judge, Bengaluru Rural District sitting at Anekal, arising out of Crime No.515 of 2024 registered by Attibele Police Station, Bengaluru District, for the offences punishable under Section 103(1), 238(a) of BNS, 2023 is before this Court in this successive bail petition filed under Section 483 of BNSS seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.515 of 2024 was registered by Attibele Police Station for the aforesaid offences against the petitioner herein based on the first information dated 28.12.2024 received from Mahamad Suleman, who is the

brother of the deceased Mallika Kathoon. In the said case, the petitioner was arrested on 28.12.2024 and remanded to judicial custody. His bail application filed before the trial court was rejected. Therefore, he had earlier approached this Court in Criminal Petition No.13379/2025, which was dismissed as withdrawn with liberty to the petitioner to file a fresh bail application before the trial court after examination of the alleged eye witness-CW.2 is complete. Subsequently, the petitioner had filed a fresh bail application before the trial court in S.C.No.5051/2025 which was rejected on 31.08.2026. Therefore, he is before this Court.

4. Deceased Mallika Khatoon was the wife of the petitioner. It is alleged in the charge sheet that the petitioner was addicted to alcohol, was quarrelling with his wife and was not properly taking care of his family members. On 28.12.2024, at about 05:30 a.m., the petitioner allegedly had assaulted his wife with iron

hammer and had committed her murder. CW.2, who is the daughter of the petitioner, is the alleged eye witness in the present case. CW.1 is the brother of the deceased and CW.3 is the wife of CW1. CWs.1 to 3 have been examined before the trial court as PWs.1 to 3. The submission made by the learned counsel for the petitioner that PWs.1 to 3 have not supported the case of the prosecution, and therefore, they have been treated as hostile witnesses and cross-examined by the prosecution in vain is not seriously disputed by the learned HCGP. Undisputedly, the petitioner has no other criminal antecedents. Out of 31 charge sheet witnesses cited in the present case, only three charge sheet witnesses have been examined and therefore the chances of trial being completed and the case being disposed of on merits is the near future is very remote. Since the material charge witnesses have already been examined, there cannot be any apprehension that the petitioner may tamper with the said witnesses. 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.515 of 2024 registered by Attibele Police Station, Bengaluru District, for the offences punishable under Section 103(1), 238(a) of BNS, 2023 pending before the Court of III Additional District and Sessions Judge, Bengaluru Rural District sitting at Anekal, in S.C.No.5051 of 2025 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 them is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

hkh.
List No.: 1 Sl No.: 50