HC-KAR

NC: 2026:KHC:65515
CRL.P No. 14802 of 2026

CNR: KAHC010660532026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14802 OF 2026

BETWEEN:

1. XXX

...PETITIONER

(BY SRI RAJAKUMAR M, ADV.)

AND:

1. STATE OF KARNATAKA
   BY AVALAHALLY POLICE STATION
   REPRESENTED BY STATE PUBLIC
   PROSECUTOR, HIGH COURT COMPLEX
   BENGALURU-560001.

2. SRI SRIKANTH
   S/O MUNISHAMI
   AGED ABOUT 27 YEARS
   R/AT MUNUGANAHALLI VILLAGE
   KALLAHALLI POST, CHINTAMANI TALUK
   CHIKKABALLAPURA DISTRICT - 563123.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THIS CRL.P FILED U/S 439(2) CR.PC (FILED U/S 483(3) BNSS) PRAYING TO SET ASIDE THE ORDER DATED 22.08.2026 GRANTING REGULAR BAIL TO THE ACCUSED/ RESPONDENT NO.2 UNDER SEC.483 OF BNSS 2023 ON THE FILE OF THE HONBLE VI ADDL.DIST AND SESSIONS JUDGE BENGALURU RURAL DIST. BENGALURU IN CRL.MISC.NO.1798/2026 FOR THE ALLEGED OFFENCE P/U/S 64(2)(m),79,352,351(2),3(5) OF BNS 2023 REGISTERED BY THE AVALAHALLY POLICE IN CR.NO.356/2026 AND FURTHER BE PLEASED TO DIRECT THE RESPONDENT NO.1 POLICE TO ARREST THE ACCUSED / RESPONDENT NO.2 AND COMMIT HIM TO JUDICIAL CUSTODY.

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. The defacto complainant is before this Court in this petition filed under Section 483(3) of BNSS, 2023, with a prayer to set aside the order dated 22.08.2026 passed by the Court of VI Addl. District & Sessions Judge, Bengaluru Rural District, Bengaluru, in Crl. Misc. No.1798/2026, wherein respondent no.2 herein has been granted regular bail in Crime No.356/2026 registered by Avalahally Police Station, Bengaluru City, for the offences punishable under Sections 64(2)(m), 79, 352, 351(2), 3(5) of BNS, 2023.

2. Heard the learned Counsel for the petitioner and the learned HCGP for respondent-State.

3. FIR in Crime No.356/2026 was registered by Avalahally Police Station, Bengaluru City, for the aforesaid offences against respondent no.2 herein and others based on the first information dated 10.08.2026 received from the victim lady aged 27 years. During the course of investigation of the said

case, respondent no.2 who is arrayed as accused no.1 in the FIR was arrested. His bail application filed before the Sessions Court in Crl. Misc. No.1798/2026 was allowed on 22.08.2026, subject to certain conditions. Assailing the said order, the defacto complainant is before this Court.

4. Learned Counsel for the petitioner submits that the victim was not heard in the matter before granting regular bail. He submits that serious allegations are found against respondent no.2 which has not been properly appreciated by the learned Sessions Judge who has granted regular bail to respondent no.2. Accordingly, he prays to allow the petition.

5. In the first information dated 10.08.2026 submitted by the victim lady, it is stated that she is a MCA graduate working in a private company. She has also stated that she got acquainted with respondent no.2 in the year 2020 and they were earlier working in the same company. Subsequently, they developed friendship and they used to visit the house of their relatives and friends together. In the year 2020 itself, petitioner had allegedly informed the victim that he is in love

with her, but the victim allegedly stated to him that she is only interested to continue her relationship with him as a friend.

6. On 07.03.2026, respondent no.2 who had taken the victim along with him to Nellore in Andhra Pradesh, for attending a marriage, allegedly gave her juice and after consuming the same, she lost her consciousness and respondent no.2 thereafter had sexual intercourse with her. Respondent no.2 allegedly also had recorded the said in his mobile phone and thereafter threatened her of circulating the video. Subsequently, from 09.05.2026 to June 2026, respondent no.2 made her to consume some medicine and after she lost her consciousness, he allegedly had sexual intercourse with her multiple times. She has stated that every time respondent no.2 had sexual intercourse with her, he had made her consume juice which was mixed with medicine.

7. Learned Counsel for the petitioner has not pointed out any statutory provision which provides for making the victim as a party respondent to a bail application filed by the accused in a case registered for the aforesaid offences. It is not the case of

the petitioner that she had filed an application before the learned Sessions Judge to hear her before passing any order in the regular bail application filed by the accused in the present case. It is not also her case that she had appeared before the learned Sessions Judge at any stage after the regular bail application was filed by the accused in the present case. Under the circumstances, I find no merit in the contentions urged on behalf of the petitioner that the order impugned has been passed without hearing the victim.

8. The learned Sessions Judge having regard to the nature of allegations found against respondent no.2 and also considering the period of relationship between the parties, has granted regular bail to respondent no.2 by a reasoned order. The victim lady who is a post-graduate, working in a private company has alleged that respondent no.2 had sexual intercourse with her multiple times and every time he had made her to consume some juice which was mixed with medicine. The first information has made allegation in the complaint not only as against respondent no.2, but also as against his parents, uncles, sisters, etc., and therefore, the FIR

was registered in the present case against eight persons. Under the circumstances, I am of the opinion that the learned Sessions Judge was justified in granting regular bail to respondent no.2 vide the order impugned. It is not the case of the petitioner that respondent no.2 has violated any of the bail conditions imposed on him by the learned Sessions Judge vide the order impugned. Under the circumstances, the petition lacks merit, and the same is accordingly dismissed.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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