HC-KAR

NC: 2026:KHC:63869
CRL.P No. 14844 of 2026

CNR: KAHC010662742026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO.14844 OF 2026

BETWEEN:

1. SRI. BASAVARAJ
   S/O SAKADEVA JAMAGE
   AGED ABOUT 26 YEARS
   R/AT SANJAY GANDHI NAGAR
   CHIKKODI TALUK
   BELAGAVI DISTRICT- 591201.

...PETITIONER

(BY SRI. ASHWIN JOYSTON KUTINHA, ADV.,)

AND:

1. STATE OF KARNATAKA
   THROUGH PUTTUR WOMEN'S POLICE STATION
   REP. BY STATE PUBLIC PROSECUTOR
   HIGH COURT BUILDING
   BENGALURU 560001.

2. SMT. RAJASHREE
   AGED ABOUT 35 YEARS
   W/O SRI. SHIVALINGA
   R/AT GANESH VADI, DURDUNDI POST
   GOKAK TALUK, BELAGAVI DISTRICT - 591 218.

   PRESENTLY RESIDING AT
   APMC SALMAR, CHIKKAMUDNOOR VILLAGE
   PUTTUR TALUK 574 20.

...RESPONDENTS

(BY SRI. RAHUL RAI K, HCGP FOR R1
V/O 06.11.2026 NOTICE TO R2 H/S)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

CNR: KAHC010662742026

THIS CRL.P IS FILED U/S 439 OF CR.P.C. (FILED U/S 483 BNNS) PRAYING TO RELEASE THE PETITIONER ON REGULAR BAIL CONDITIONALLY PENDING TRIAL IN SPL.C NO.5029/2026 FOR THE OFFENCE P/U/S 64(2)(m) AND SECTION 137(2) OF THE BNS 2023 PENDING ON THE FILE OF THE HONBLE VII ADDL. DISTRICT AND SESSIONS JUDGE AND SPECIAL JUDGE D.K.MANGALURU SITTING AT PUTTUR D.K. WHICH IS REGISTERED IN PURSUANT OF CRIME NO.27/2026 OF PUTTUR WOMEN POLICE STATION & 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

Accused in Spl.C.No.5029/2026 pending before the Court of VII Additional District and Sessions Judge, D.K., Mangaluru sitting at Puttur, D.K., arising out of Crime No.17/2026 registered by DK Women Police Station, Dakshina Kannada for the offences punishable under Section 64(2)(m), 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, and Section 5(l), 6 of the Protection of Children from Sexual Offences Act, 2012, is before this Court in this petition filed under Section 483 of the

Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail.

2. Heard the learned counsel for the petitioner and learned High Court Government Pleader for respondent No.1-State. Respondent No.2, who is served in the matter, has remained unrepresented before this Court.

3. FIR in Crime No.17/2026 was registered by DK Women Police Station, Dakshina Kannada for the offences punishable under Section 137(2) of BNS, 2023, against unknown person, based on the first information dated 18.03.2026 received from respondent No.2, who is the mother of the victim girl. During the course of investigation, petitioner herein was arrested on 30.03.2026 and remanded to judicial custody. After investigation, charge sheet is filed against him for the aforesaid offences. His bail application filed before the Trial Court in Spl.C.No.5029/2026 was rejected on 15.07.2026. Therefore, he is before this Court.

4. In the first information submitted by the mother of the victim girl, it is stated that the victim girl aged 17 years, who was pursuing her II year PUC education, was found missing from their house on 17.03.2026. Efforts made to trace her had failed and therefore, on the next day her mother had approached the police. During the course of investigation, petitioner and the victim girl were traced. The statement of the victim girl under Section 183 of BNSS, 2023, was recorded in the present case on 15.04.2026 by the jurisdictional Magistrate. In the said statement, victim girl has stated that petitioner is staying in the house adjacent to their house and for the last two years they are loving each other. They together had planned and left their house on 17.03.2026 and had travelled to Solapur and were residing in a rented house at Solapur for a period of 11 days. Police, who came there, brought them back to their village. Except the same, she has not made any allegation against the petitioner, which

would attract the offences punishable under Section 64 of BNS, 2023 and Section 6 of the POCSO Act. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered in the affirmative, subject to appropriate conditions. Accordingly, the following:

ORDER

(i) The petition is ***allowed***. The petitioner is directed to be enlarged on bail in Spl.C.No.5029/2026 pending before the Court of VII Additional District and Sessions Judge, D.K., Mangaluru sitting at Puttur, D.K., arising out of Crime No.17/2026 registered by DK Women Police Station, Dakshina Kannada for the offences punishable under Section 64(2)(m), 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, and Section 5(l), 6 of the Protection of Children from Sexual Offences Act, 2012, 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

BSR
List No.: 1 Sl No.: 38