HC-KAR



CNR: KAHC010677902026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 4TH DAY OF NOVEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO. 15353 OF 2026**

**BETWEEN:**

MOUNESH
S/O MALLAPPA
AGED ABOUT 22 YEARS
R/AT. TAWAR VADIGERI
SHAHAPUR TALUK
YADGIRI DISTRICT - 421 601.

...PETITIONER

(BY SRI NINGARAJA M.N, ADV.)

**AND:**

1. THE STATE OF KARNATAKA BY
PEENYA POLICE STATION
BANGALORE CITY
REP BY ITS STATE PUBLIC
PROSECUTOR, HIGH COURT COMPLEX
BANGALORE - 560 001.

2. XXX

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
NOTICE TO R-2 IS H/S V/O DTD:04.11.2026)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE THE PETITIONER / ACCUSED NO.1 ON BAIL IN SPL.CC.NO.979/2026 (CRIME NO.128/2026) OF PEENYA POLICE STATION FOR THE OFFENCE P/U/S 137(2), 65(1), OF BNS AND 4, 6, 8 OF POCSO ACT AND 9 OF PROHIBITION OF CHILD MARRIAGE ACT, PENDING ON THE FILE OF ADDL. CITY CIVIL AND SESSIONS JUDGE AT BANGALORE (FTSC-II).

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CNR: KAHC010677902026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

**ORAL ORDER**

1. Accused No.1 in Spl.C.C.No.979/2026 pending before the Court of the Additional City Civil and Sessions Judge (FTSC-II), Bengaluru, arising out of Crime No.128/2026 registered by Peenya Police Station, Bengaluru City, for the offences punishable under Sections 137(2) and 65(1) of BNS, 2023, Sections 4, 6 and 8 of the POCSO Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the petitioner and the learned HCGP 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.128/2026 was registered by Peenya Police Station, Bengaluru City, for the offence punishable under Section 137(2) of BNS, 2023, against the petitioner and another, based on the first information dated 26.02.2026

received from respondent No.2, who is the mother of one of the alleged victims in the present case. During the course of investigation, accused persons and the victims were traced. Petitioner who is arraigned as accused No.1 in the present case was arrested on 03.03.2026 and remanded to judicial custody. His bail application filed before the Trial Court in Crl.Misc.No.5058/2026 was rejected on 03.09.2026. Therefore, he is before this Court.

4. A reading of the first information as well as the charge sheet now filed in the present case would reveal that petitioner is a close relative of the victim girls. Victim No.1, is the daughter of the first informant and victim No.2 is the daughter of the sister of first informant. It appears that victim Nos.1 and 2 were found missing from their house on 25.02.2026 and efforts made to trace them had failed. Therefore, on the next day, mother of victim No.1 had approached the police on 26.02.2026 and since she suspected the involvement of the accused Nos.1 and 2, FIR was registered against them in Crime No.128/2026 for the offence punishable under Section 137(2) of BNS, 2023.

5. During the course of investigation, accused Nos.1 and 2 and victim girls were traced at Channarayapatna in a shed. Statement of the victim girl No.1 was recorded in the present case subsequently by the Court of jurisdictional Magistrate.

6. A reading of the same would go to show that on 25.02.2026, victim Nos.1 and 2 had travelled with the accused persons from Bengaluru to Channarayapattana and they had stayed in a shed. Subsequently, accused No.1 tied mangalasuthra to the neck of victim No.1 and accused No.2 had tied mangalasuthra to victim No.2 and got married in the shed. Thereafter, on the said night, accused No.1 allegedly had sexual intercourse with victim No.1 and accused No.2 allegedly touched victim No.2 inappropriately.

7. Accused No.2 has been granted regular bail by this Court in Crl.P.No.13070/2026 on 23.09.2026. Petitioner aged 22 years having no other criminal antecedents is in custody in the present case for the last nearly seven months. Investigation of the case is already completed and trial in the case is yet to commence. Considering the nature of allegations found against

accused persons and also the age of accused persons and victims, who had gone together and got married, I am of the opinion that prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following order:-

8. The petition is allowed. The petitioner is directed to be enlarged on bail in Spl.C.C.No.979/2026 pending before the Court of the Additional City Civil and Sessions Judge (FTSC-II), Bengaluru, arising out of Crime No.128/2026 registered by Peenya Police Station, Bengaluru City, for the offences punishable under Sections 137(2) and 65(1) of BNS, 2023, Sections 4, 6 and 8 of the POCSO Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006, 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.: 70