HC-KAR

NC: 2026:KHC:61108
CRL.P No. 15355 of 2026

CNR: KAHC010680872026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15355 OF 2026

BETWEEN:

MURTHY @ PINTO
S/O. DEVAPPA
AGED ABOUT 40 YEARS,
RESIDING AT NO. 25, 3RD MAIN ROAD,
ESHWARANAGAR, BANSHANKARI 2ND STAGE,
BENGALURU.

...PETITIONER

(BY SRI. NIKITHA N., ADVOCATE FOR
SRI. LAKSHMI KANTHA M., ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY DHARMASTHALA POLICE STATION,
MANGALURU.
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU -560 001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

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Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 OF CR.P.C. (FILED U/S 483 BNNS) PRAYING TO ALLOW THE PETITION AND RELEASE THE PETITIONER / ACCUSED NO.3 ON BAIL IN CC.NO.797/2017 (ARISING OUT OF CRIME NO.65/2017) OF DHARAMASTHALA POLICE STATION FOR THE ALLEGED OFFENCE P/U/S 397, 395

OF IPC PENDING ON THE FILE OF HONBLE PRL. CIVIL JUDGE AND JMFC AT BELTHANGADY.

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.3 in Crime No.65 of 2017 registered by Dharmasthala Police Station, Dakshina Kannada, for the offences punishable under Section 397 and 395 of IPC, 1860, 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. Perusal of the material on record would go to show that the allegation against the accused in the present case is that, on 08.04.2017 when CW1 had parked his lorry for the purpose of attending nature's call, the accused persons, who came in a car, all of a sudden forcibly entered into the lorry in which CW1 was the driver

and by threatening him with weapons, they robbed his money amounting to Rs.17,000/-, his mobile phone and also his lorry key and after assaulting him, they escaped from the spot. CW1 has suffered simple injuries in incident in question. Records would reveal that the petitioner who was arrested in the present case, was subsequently granted regular bail by this Court in Criminal Petition No.5956 of 2017 allowed on 13.10.2017. It appears that the petitioner subsequently had not appeared before the Court and therefore, coercive steps were taken against him and he is now arrested and remanded to custody on 05.08.2026.

4. Learned High Court Government Pleader fairly submits that the last criminal case registered against the petitioner was in the year 2019. Thereafter, he has not involved in any other criminal case. The petitioner has undertaken to co-operate before the Trial Court for speedy disposal of the case and also abide by the conditions that may be imposed on him.

5. 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, subject to appropriate conditions. Accordingly, the following:

O R D E R

(i) The Criminal Petition is allowed.

(ii) The petitioner is directed to be enlarged on bail in Crime No.65 of 2017 registered by Dharmasthala Police Station, Dakshina Kannada, for the offences punishable under Section 397 and 395 of IPC, 1860, subject to the following conditions:

a) The petitioner shall execute 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

AMM
List No.: 1 Sl No.: 86