HC-KAR

NC: 2026:KHC:61046
CRL.P No. 15287 of 2026

CNR: KAHC010684182026

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. 15287 OF 2026

BETWEEN:

DHEERAJ @ T. S DHEERAJ GOWDA,
S/O LATE SHIVARAMU,
AGED ABOUT 22 YEARS,
R/AT RAMANDIRA BEEDI,
HOSATHIRUMAKUDLU,
T. NARASIPURA TOWN,
MYSURU DIST., KARNATAKA-561 101.

...PETITIONER

(BY SRI. THEJAS W.K, FOR SRI. SUNILKUMAR.S, ADVOCATES)

AND:

STATE OF KARNATAKA,
BY T.NARASIPURA P.S,
MYSURU DIST., REP. BY HCGP,
HIGH COURT BUILDING,
BENGALURU-560001.

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

Digitally signed by CHETAN B C
Location: High Court of Karnataka

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER/ACCUSED ON REGULAR BAIL IN CRIME NO.430/2025 REGISTERED BY THE T. NARASIPURA P.S. NOW PENDING BEFORE THE HON'BLE III ADDL. DISTRICT AND SESSIONS COURT AT MYSURU IN S.C.NO.102/2026 FOR THE OFFENCES P/U/S 103(1), 238 OF BNS.

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 S.C.No.102/2026 pending before the Court of III Additional District and Sessions Judge, Mysuru, arising out of Crime No.430/2025 registered by T.Narasipura Police Station, Mysuru, for offences punishable under Sections 103(1) and 238 of BNS, 2023, is before this Court in this successive bail application filed under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.430/2025 was registered by T.Narasipura Police Station, Mysuru, against the petitioner herein, based on the first information dated 13.12.2025 received from Surendra, brother of deceased Vinod @ Vinod Kumar. In the said case, petitioner was arrested on 15.12.2025 and remanded to judicial custody. His bail application filed before the Trial Court was rejected and therefore, he had

earlier approached this Court in Crl.P.No.5250/2026 which was dismissed as withdrawn with liberty to the petitioner to file a fresh bail application before the Trial Court after the alleged eye witnesses namely CWs.2 and 3 are examined. Subsequently, petitioner had filed fresh bail application before the Trial Court in S.C.No.102/2026 which was rejected on 28.09.2026. Therefore, he is before this Court.

4. The petitioner is distant relative of CW.1 and his brother Vinod @ Vinod Kumar, who is the deceased in the present case. In the charge sheet, it is alleged that petitioner had illicit relationship with the wife of deceased and therefore, he was asked not to visit the house of CW.1 and his brother Vinod @ Vinod Kumar, who is the deceased in the present case. Therefore, petitioner allegedly had developed vengeance against Vinod @ Vinod Kumar and on 17.11.2025, at about 13:30 hours, petitioner allegedly had gone near the house of CW.1 and after quarrelling with CW.1, had threatened him of dire consequences. On 12.12.2025 at about 10.30 p.m., petitioner allegedly assaulted Vinod @ Vinod Kumar with the

iron long and as a result of the said assault, Vinod @ Vinod Kumar who had suffered multiple injuries, had subsequently died. CWs.2 and 3 are the alleged eye witnesses to the said incident in which petitioner had assaulted Vinod @ Vinod Kumar. CWs.2 and 3 have been now examined before the Trial Court as PWs.2 and 3.

5. Submission is made by learned counsel for the petitioner that PWs.2 and 3 have completely turned hostile to the case of the prosecution and they have been treated as hostile witnesses and cross-examined by public prosecutor in vain, is not seriously disputed by the learned HCGP. Out of 57 charge sheet witnesses cited in the present case, as on this date, only five charge sheet witnesses have been examined as PW.1 to PW.5. Therefore, chances of the trial being completed and case being disposed off in near future is too remote. It is brought to the notice of this Court by learned counsel for the petitioner that the petitioner is person without any criminal antecedents. Under the circumstances, the following:

O R D E R

(i) The Criminal Petition is **allowed**. The petitioner is directed to be enlarged on bail in S.C.No.102/2026 pending before the Court of III Additional District and Sessions Judge, Mysuru, arising out of Crime No.430/2025 registered by T.Narasipura Police Station, Mysuru, for offences punishable under Sections 103(1) and 238 of BNS, 2023, 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

CBC
List No.: 1 Sl No.: 82