HC-KAR

NC: 2026:KHC:59390
CRL.P No. 15233 of 2026

CNR: KAHC010686862026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15233 OF 2026 (439(Cr.PC) / 483(BNSS))

BETWEEN:

SRI. MANJUNATH @ MANJU
S/O SRI LATE HUCCHAPPA
AGED ABOUT 25 YEARS
OCC: AGRICULTURIST AND TRACTOR DRIVER
R/AT NO. 87/1, BARURU VILLAGE
SAGAR TLAUK,
SHIVAMOGGA – 577 431.

...PETITIONER

(BY SRI. NAIK NARAYAN MASTAPPA, ADVOCATE)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
   BY ANANDAPURA POLICE STATION
   SAGAR RURAL CIRCLE
   SAGAR, SHIVAMOGGA - 577 412
   REPRESENTED BY STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   BENGALURU - 560 001.

2. SRI. HUCHAPPA K.,
   S/O LATE KERIYAPPA
   AGED 45 YEARS
   R/OF KALLUKOPPA
   THEPPAGODU VILLAGE
   SAGAR TALUK
   SHIVAMOGGA - 577 431.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1;
R2 - V/O 27.10.2026, SERVICE OF NOTICE IS HELD SUFFICIENT)

THIS CRL.P IS FILED U/S 439 CR.PC PRAYING TO GRANT BAIL TO THE PETITIONER AND ORDER TO RELEASE THE PETITIONER IN SPL.C.NO.162/2026 (ARISING OUT OF CR.NO.60/2026) REGISTERED FOR THE OFFENCES P/U/S 64(2)(M),87,127(4),137(2) OF BNS 2023 R/W SEC.4,6,17 OF POCSO ACT 2012 AND ALSO UNDER SEC.9 OF THE PROHIBITION OF CHILD MARRIAGE ACT 2006 PENDING ON THE FILE OF THE HONBLE ADDL.DIST. AND SESSIONS JUDGE FTSC-1 (POCSO), SHIVAMOGGA IN SO FAR AS PETITIONER (ACCUSED NO.1) IS CONCERN REGISTERED ON THE BASIS OF THE COMPLAINT FILED BY THE RESPONDENT NO.2 AND ENLARGE HIM ON BAIL AND 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

1. Accused No.1 in Special Case No.162 of 2026 pending before the Court of Additional District and Sessions Judge, FTSC-I (POCSO), Shivamogga, arising out of Crime No.60/2026 registered by Anandapura Police Station, Shivamogga, for the offences punishable under Sections 64(1) and 137(2) of BNS, 2023, Sections 4(1) and 6 of POCSO Act, 2012 and Section 9 of 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 on behalf of respondent No.1/State. Respondent no.2, who is served in the matter, has remained unrepresented before this Court.

3. FIR in the present case has been registered against unknown person for offence punishable under Section 137(2) of BNS, 2023 based on the first information dated 08.04.2026 received from respondent no.2, who is the father of victim girl aged 16 years 11 months. In the said case, the petitioner was arrested on 18.04.2026 and remanded to judicial custody. His bail application filed before the Trial court in Spl.C.No.162/2026 was rejected on 24.06.2026. Therefore, he is before this Court.

4. It is stated in the first information that victim girl was found missing from her house on 06.04.2026. Efforts made to trace her had failed, and therefore, her father had

approached the Police on 08.04.2026. During the course of the investigation, the 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 by the Court of jurisdictional Magistrate on 17.04.2026. In the said statement, the victim girl has stated that the petitioner and herself are in love for the last 3 years. She had voluntarily gone with the petitioner from Sagar to Shivamogga and thereafter to Bengaluru. She has stated that, while she stayed with the petitioner, he had kissed her. Except the same, she has not made any allegation against the petitioner, which would attract the alleged offences for which the petitioner has been charge sheeted in the present case. Petitioner aged 25 years having no other criminal antecedents is in custody. Considering the aforesaid aspects of the matter, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

ORDER

i) The Criminal Petition is ***allowed***;

ii) The petitioner is directed to be enlarged on bail in pending before the Court of Additional District and Sessions Judge, FTSC-I (POCSO), Shivamogga, in Special Case No.162 of 2026 of Crime No.60/2026 registered by Anandapura Police Station, Shivamogga, for the offences punishable under Sections 64(1) and 137(2) of BNS, 2023, Sections 4(1) and 6 of 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/- (Rupees One Lakh only) 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 them is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

hkh. List No.: 1 Sl No.: 67