HC-KAR
NC: 2026:KHC:64272
CRL.P No. 15996 of 2026
CNR: KAHC010721222026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15996 OF 2026

BETWEEN:

ASHOK
S/O RAMANJINAPPA,
AGED ABOUT 21 YEARS,
CHOWDAYYANAPLAY VILLAGE
SASALU HOBLI,
DODDBALLAPURA TALUK
PRESENTLY RESIDING AT
BHOVIPHALYA VILLAGE
SASALU HOBLI
DODDBALLAPURA TALUK
BENGALURU RURAL DISTRICT - 561 203.

...PETITIONER

(BY SRI. THYAGARAJ.M.,ADVOCATE)

Digitally signed by SUMA B N
Location: HIGH COURT OF KARNATAKA

AND:

1. THE STATE OF KARNATAKA
   BY BENGALURU DISTRICT WOMEN POLICE STATION,
   REPRESENTED BY HCGP
   HIGH COURT BUILDING
   BENGALURU - 560 001

2. SMT. GANGAMMA
W/O LATE NAGARAJ
R/AT SIRASTHEBARANAPALYA VILLAGE,
SASALU HOBLI,
DODDABALLAPURA TALUK
BENGALURU RURAL DISTRICT - 561 203.

…RESPONDENTS

(BY SRI. RAHUL RAI., HCGP FOR R1;
SRI. MANJUNATH KUMAR.,ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ENLARGE THE PETITIONER /ACCUSED NO.1 ON BAIL IN CR.NO.131/2026, ON THE FILE OF THE ADDL. CIVIL JUDGE (JR.DN) AND JMFC, AT DODDABALLAPURA, REGISTERED BY BENGALURU DISTRICT WOMEN POLICE STATION FOR THE OFFENCES P/US/ 137(2) OF THE BNS AND SEC. 4(2), 5(n), 5(l), 6 AND 17 OF THE POCSO ACT, AND SEC.9 OF THE PROHIBITION OF THE CHILD MARRIAGE ACT.

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.1 in Crime No.131/2026 registered by Bengaluru District Women Police Station, Bengaluru, for the offences punishable under Section 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 4(2), 5(n), 5(l), 6 and 17 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO Act' in short) and Section 9 of Prohibition of Child Marriage Act, 2006, 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, learned High Court Government Pleader for the respondent No.1-State and learned counsel for the respondent No.2.

3. FIR in Crime No.131/2026 is registered by Bengaluru District Women Police Station, Bengaluru, for the offence punishable under Section 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, against unknown person based on the first information dated 07.05.2026 received from respondent No.2, who is the mother of the victim girl. In the

said case, petitioner was arrested and remanded to judicial custody on 21.09.2026. His bail application filed before the trial Court in Crl.Misc.No.2088/2026 was rejected on 08.10.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner reiterating the grounds urged in the memorandum of the petition submits that petitioner and the victim girl are the relatives and were in love, victim girl had voluntarily accompanied the petitioner and subsequently they got married. He submits that respondent No.2 who had appeared before the trial Court has stated that she has no objection to grant bail to the petitioner. Major portion of the investigation is already completed. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP has opposed the petition on the ground that victim girl is a minor and therefore, there is prima-facie case against the petitioner.

6. Learned counsel for the respondent No.2 on instructions from respondent No.2, who is present before the

Court submits that he has no objection to grant bail to the petitioner.

7. Victim girl aged about 15 years, studying in 9th standard was found missing from her house on 07.05.2026. Efforts made to trace her had failed and therefore the mother of the victim girl subsequently approached the police. Based on her first information, FIR was registered in Crime No.131/2026 against unknown persons for the offence punishable under Section 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.

8. During the course of the investigation petitioner and victim girl were traced together. Petitioner was arrested and remanded to the judicial custody. Statement of the victim girl under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 was recorded subsequently on 26.09.2026. In the said statement, the victim girl has stated that petitioner is her uncle and they are in love with each other for the last two years. On 07.05.2026, she had gone to a temple in her village and petitioner who came

there took her with him to Doddaballapura and thereafter they traveled to Majestic, Bangalore. Subsequently, they went to Dharmasthala and Tirupati. She has stated that at Tirupati, petitioner tied a mangalsutra to her neck and married her and thereafter they came back to Kolar and stayed in their relatives house. She has stated that, while they were together petitioner had sexual intercourse with her.

9. Petitioner aged 21 years having no other criminal antecedents is in custody. Major portion of the investigation is already completed. It appears that petitioner and the victim girl are close relatives and victim girl has stated that they are in love for the last two years and they had voluntarily traveled to various places and subsequently they got married. Continued detention of the petitioner in custody amongst hardcore criminals may have an adverse impact on his mind set. Since major portion of the investigation is already completed and the victim girl has not made any serious allegations against the petitioner, 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**. The petitioner is directed to be enlarged on bail in Crime No.131/2026 registered by Bengaluru District Women Police Station, Bengaluru for the offences punishable under Section 137(2) of the BNS, 2023 and Sections 4(2), 5(n), 5(l), 6 and 17 of the POCSO Act and Section 9 of Prohibition of Child Marriage Act, 2006 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

RL
List No.: 1 Sl No.: 63