HC-KAR

NC: 2026:KHC:62204
CRL.P No. 16072 of 2026

CNR: KAHC010727772026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16072 OF 2026

(438(Cr.PC) / 482(BNSS)

BETWEEN:

1. DARSHAN
   S/O RAJA NAIK
   AGED ABOUT 24 YEARS
   R/O BHOVI COLONY ROAD
   KOTETANDA, AYANURU VILLAGE,
   SHIVAMOGGA -5566201

...PETITIONER

(BY SRI. ARUN B K.,ADVOCATE)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

AND:

1. THE STATE OF KARNATAKA
   BY INSPECTOR OF POLICE,
   WOMAN POLICE STATION SHIVAMOGGA
   REPRESENTED BY SPP, HIGH COURT OF KARNATAKA
   BENGALURU-560001

...RESPONDENT

(BY SRI.RAHUL RAI, HCGP)

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CRL.P FILED U/S 438 CR.PC (FILED U/S 482 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ENLARGE THE PETITIONERS ON BAIL IN THE EVENT OF ARREST GRANT ANTICIPATORY BAIL TO THE PETITIONERS IN CONNECTION WITH FIR IN CRIME NO.110 OF 2026 REGISTERED AT WOMAN POLICE STATION SHIVAMOGGA FOR THE OFFENSE P/U/S 64(2)(m), 351(2), 79, 54 R/W 3(5) OF BHARATHIYA NYAYA SANHITA AND U/S 66(E) OF INFORMATION TECHNOLOUGY ACT 2000.

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.110/2026 registered by Woman Police Station, Shivamogga for offences punishable under Sections 64(2)(m), 351(2), 79, 54 r/w 3(5) of Bharathiya Nagarika Suraksha, 2023 and Section 66(E) OF Information Technology Act,2000 is before this court in this petition filed under Section 482 of BNSS, 2023 seeking anticipatory bail.

2. Heard learned counsel for the petitioner and learned counsel appearing for the respondent-State.

3. FIR in Crime No. 110/2026 was registered by Woman Police Station Shivamogga for the offences punishable under Sections 64(2)(m), 351(2), of Bharathiya Nyaya Sanhita, 2023 and Section 66(E) of Information Technology Act 2000, based on the first information received from the victim girl who is aged about 23 years. Apprehending arrest in the case, the petitioner had approached the jurisdictional Sessions Court in Crl.Mis.No.1075/2026, which was rejected on 01.10.2026. Therefore, he is before this Court.

4. A reading of the first information dated 25.08.2026 submitted by the victim girl who is aged about 23 years would go to show that she got acquainted with the petitioner while she was pursuing her B.Sc. degree course and thereafter they were loving each other. On 10.02.2024, petitioner had allegedly taken the victim girl to a hotel on the pretext of having food and in the said hotel he had booked a room and had sexual intercourse with her against her wishes. It is alleged that he had taken her private photos and videos in his mobile phone.

Subsequently, he allegedly started threatening and blackmailing the victim girl of circulating her private photographs and videos in Social Media and demanded money. Petitioner allegedly took the victim girl to various places thereafter by threatening her and had sexual intercourse with her multiple times.

5. A reading of the first information would reveal that the petitioner and the victim girl who were earlier loving each other, were in a relationship for a period of more than 2 years. The alleged incident of forcible sexual intercourse in the hotel for the first time has taken place on 10.02.2024.Victim has approached the Police on 25.08.2026, which is after a lapse of 2 years six months from the date of alleged incident. The petitioner who is said to be working in the private company has no other criminal antecedent and he has undertaken to cooperate with the Investigating Officer for the purpose of investigation.

6. Considering the aforesaid aspects of the matter, I am of the opinion, the prayer made by the petitioner for grant

of anticipatory bail needs to be answered in the affirmative, subject to the following conditions. Accordingly, the following:

ORDER

The criminal petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No. 110/2026 registered by Woman Police Station Shivamogga for the offences punishable under Sections 64(2)(m), 351(2), 79, 54 r/w 3(5) of Bharathiya Nyaya Sanhita and Section 66(E) of Information Technology Act 2000, subject to the following conditions:

i) The Petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.

ii) Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

iii) Petitioner shall not tamper with the prosecution witnesses and he shall co-operate with

the police for investigation and appear before them whenever called upon.

iv) The petitioner shall not involve in similar offences in future.

SD/-
(S VISHWAJITH SHETTY)
JUDGE

HR
List No.: 1 Sl No.: 77