HC-KAR

NC: 2026:KHC:63843
CRL.P No. 16176 of 2026

CNR: KAHC010731392026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16176 OF 2026

BETWEEN:

CHANNAPPA BASAPPA BADIGER @ CHANDU
S/O BASAPPA BADIGER
AGED ABOUT 29 YEARS
R/AT NO.37/1, 2ND CROSS
2ND BLOCK, NANDINI LAYOUT
NEAR MUNESHWARA TEMPLE
BENGALURU - 560 096.

...PETITIONER

(BY SRI GIRISH R, ADV.)

AND:

STATE OF KARNATAKA
BY NANDINI LAYOUT PS
BENGALURU, NOW REPRESENTED
BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ALLOW THE PRESENT CRIMINAL PETITION AND ENLARGE THE PETITIONER/ACCUSED NO.1 ON REGULAR BALL IN CONNECTION WITH CRIME NO.252/2026 OF NANDINI LAYOUT POLICE STATION, BENGALURU, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 115(2), 127(4), 351(3), 75, 87 AND 64(2)(m), READ WITH SECTION 3(5), OF THE BHARATIYA NYAYA SANHITA, 2023, NOW PENDING IN C.C.NO.49954/2026 ON THE FILE OF THE HONBLE XXXII ADDITIONAL CHIEF JUDICIAL MAGISTRATE,

BENGALURU, SUBJECT TO SUCH TERMS AND CONDITIONS AS THIS HONBLE COURT MAY DEEM FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

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 Crime No.252/2026 registered by Nandini Layout Police Station, Bengaluru, for the offences punishable under Sections 115(2), 127(4), 351(3), 75, 87, 64(2)(m) read with Section 3(5) of BNS, 2023, 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. FIR in Crime No.252/2026 was registered by Nandini Layout Police Station, Bengaluru, for the offences punishable under Sections 87, 75, 127(2), 115(2), 351(2) read with Section 3(5) of BNS, 2023, against Smt. Chatura and others based on the first information dated 31.05.2026 received from the mother of the victim girl, aged 19 years. In the said case,

petitioner was arrested on 08.06.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against three persons, in which petitioner is arraigned as accused No.1. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.9733/2026 was rejected on 09.10.2026. Therefore, he is before this Court.

4. In the typed first information dated 31.05.2026 submitted by the mother of the alleged victim girl, aged 19 years, it is stated that marriage of the victim girl with one Raju was performed in the year 2025 and subsequently, Raju and the victim girl were residing at Pune in Maharashtra State. Victim girl, who had stayed in the house of her husband for a period of four days had returned to her mother's house at Indi Taluk, Belagavi District and had stayed there for a period of five months. Thereafter, her mother had taken her to her husband's house at Pune and had left her in the said house. After about four days, husband of the victim girl had informed the first informant that victim girl had left his house. Therefore, a complaint was lodged in Kathraja Police Station, Pune, but the victim girl was not traced.

5. During the second week of May, 2026, first informant had received a phone call from her daughter, who is the alleged victim in the present case and the victim girl had informed her mother that she was staying in Bengaluru in the house of accused Nos.1 to 3 and she was under confinement. It appears that thereafter her mother had brought the victim girl back to her house at Indi Taluk, Belagavi District and on 27.05.2026 since the victim girl had complained about stomach pain, she was taken to Government Hospital at Vijayapura and on enquiry, the victim girl had informed that since she was not interested to lead her matrimonial life with her husband Raju, she had left her matrimonial house and had taken shelter in the house of accused, who are her distant relatives. She also stated that subsequently accused Nos.2 and 3 started forcing her to have sexual intercourse with accused No.1 and therefore, she had contacted her mother.

6. Charge sheet is now filed against accused persons invoking the offence punishable under 64 of BNS, 2023, based on the statement of the victim girl recorded under Section 183

of BNSS, 2023, wherein she has made an allegation that accused no.1 had forcible sexual intercourse with her against her wishes and accused nos.1 to 3 also forced her to have sexual intercourse with other customers. Such an allegation is not found in the first information which was filed on 31.05.2026 by the mother of the victim girl based on the information received by her from the victim girl. It appears that after the first informant received a phone call during the second week of May 2026 from the victim girl, immediately the first informant had brought back the victim girl from Bengaluru to Indi, and thereafter, they were staying in their house at Indi. On 27.05.2026, the victim girl and her mother had been to the hospital at Indi after the victim girl had complained about stomach pain. First information is filed on 31.05.2026. Till then, the victim girl has not made any allegation against the accused persons about they committing any kind of forcible sexual intercourse with her. Investigation of the case is now completed and charge sheet is filed. Under the circumstances, I am of the opinion that petitioner's prayer for grant of regular

bail is required to be answered affirmatively. Accordingly, the following order:

7. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.252/2026 registered by Nandini Layout Police Station, Bengaluru, for the offences punishable under Sections 115(2), 127(4), 351(3), 75, 87, 64(2)(m) read with Section 3(5) of BNS, 2023, subject to the following conditions:

a) 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

DN/KK