HC-KAR

NC: 2026:KHC:61732
CRL.P No. 16026 of 2026

CNR: KAHC010731972026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16026 OF 2026

BETWEEN:

SRI MARUTHI N.C
S/O CHANDRAPPA
AGED ABOUT 28YEARS
R/AT SRI RAMA MANDIRA
BEEDI 1ST BLOCK
NIDAGHATTA VILLAGE
KADURU TALUK
CHIKKAMAGALURU DIST - 577 548.

...PETITIONER

(BY SRI MADHU E.K, ADV.)

AND:

1. STATE OF KARNATAKA
LASHKAR POLICE STATION
MYSURU REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

2. VIJAYAKUMAR N
S/O LATE NINGAPPA
AGED ABOUT 52YEARS
R/AT NIDAGHATTA VILLAGE
KADURU TALUK
CHIKKAMAGALURU DIST - 577 548.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
NOTICE TO R-2 IS H/S V/O DTD:05.11.2026)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR NO.75/2026 FOR THE OFFENCES P/U/S 137(2), 127(3), 64(1) OF BNS AND 3(a) AND 4 OF POCSO ACT OF LASHKAR POLICE STATION, MYSURU

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

DISTRICT PENDING ON THE FILE OF THE ADDL.DISTRICT AND SESSIONS JUDGE FTSC-I AT MYSURU.

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 in Crime No.75/2026 registered by Lashkar Police Station, Mysuru, for the offences punishable under Sections 137(2), 127(3) and 64(1) of BNS, 2023, and Sections 3(a) and 4 of the POCSO Act, 2012, 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 learned HCGP for respondent No.1 - State. Respondent No.2, who is served in the matter has remained unrepresented before this Court.

3. FIR in Crime No.75/2026 was registered by Lashkar Police Station, Mysuru, for the offence punishable under Section 137(2) of BNS, 2023, against unknown persons, based on the first information dated 21.08.2026 received from respondent No.2, who is the father of the victim girl aged 17 years 7

months as on the date of registration of FIR. During the course of investigation, petitioner herein was arrested on 10.09.2026 and remanded to judicial custody. His bail application filed before the Trial Court in Crime No.75/2026 was rejected on 09.10.2026. Therefore, he is before this Court.

4. A reading of the first information would reveal that victim girl, who was studying in I year PUC was found missing on 20.08.2026 and efforts made to trace her had failed and therefore, on the next day, her father had approached the police and based on his first information, FIR was registered against unknown persons for the offence punishable under Section 137(2) of BNS, 2023. During the course of investigation, victim girl had returned back to her house. Thereafter, her statement was recorded under Section 183 of BNSS, 2023 by the Court of jurisdictional Magistrate on 28.08.2026. Petitioner was subsequently arrested on 10.09.2026 and remanded to judicial custody.

5. In the statement of the victim girl that was recorded under Section 183 of BNSS, 2023, she has stated that on

20.08.2026 she and her father had boarded a bus at Mysuru for the purpose of traveling to Shivamogga. Subsequently, when her father had got down to purchase snacks, she had got down from the bus and boarded another bus to Bengaluru. On her way, she had telephoned the petitioner, who allegedly had asked her to get down at Mandya. Accordingly, she got down from the bus at Mandya and thereafter, she traveled back to Mysuru along with the petitioner. Subsequently, they traveled together to Bengaluru and thereafter, to Chikkamagaluru. She has stated that further they had traveled to Dharmastala and had stayed together. She has stated that from Dharmashala, they had returned to Mysuru and she had gone back to her hostel at Mysuru. She has stated that she and the petitioner had sexual intercourse on 22.08.2026. She has not made any allegation against the petitioner about he committing any kind of forcible sexual assault on her. From the statement of the victim girl, it is apparent that petitioner is acquainted to her and willingly, she had accompanied the petitioner to various places after she had got down from the bus in which she and her father had boarded together. Considering the nature of

allegations found in the statement of the victim girl and also the age of the petitioner and the victim girl, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following order:-

6. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.75/2026 registered by Lashkar Police Station, Mysuru, for the offences punishable under Sections 137(2), 127(3) and 64(1) of BNS, 2023, and Sections 3(a) and 4 of the POCSO Act, 2012, 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

DN
List No.: 1 Sl No.: 80