HC-KAR

NC: 2026:KHC:64271
CRL.P No. 16031 of 2026

CNR: KAHC010732042026

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. 16031 OF 2026

BETWEEN:

NITIN GOWDA P.,
S/O PRASANNA T.,
AGED ABOUT 19 YEARS
R/AT NO. 682, 3RD CROS
RAGHAVENDRA BLOCK, GIRINAGAR
BANGALORE - 560 050.

...PETITIONER

(BY SRI. PREMA KUMAR G A.,ADVOCATE)

AND:

1. STATE BY KAGGALI PURA PS
   POLICE REP BY SPP
   HIGH COURT COMPLEX
   BANGALORE - 560 001.

2. SRI VISWANATH K S
   S/O LATE SHVIANNA
   AGED ABOUT 45 YEARS
   ELECTRICAL WORK
   R/AT GONIPURA VILLAGE
   KENGERI HOBLI
   BENGALURU SOUTH TALUK - 560 074.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1;
SERVICE HELD SUFFICIENT TO R2 (V/O DATED 19.11.2026)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

HC-KAR

NC: 2026:KHC:64271
CRL.P No. 16031 of 2026

CNR: KAHC010732042026

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE HIM ON BAIL IN CRIME NO.218/2026 OF KAGGALIPURA POLICE FOR THE OFFENCES P/U/S 137(2) OF BNS ACT AND SECTION 4(2) OF POCSO ACT PENDING ON THE FILE OF IN THE COURT OF ADDL.DISTRICT AND SESSIONS JUDGE, FTSC-I BENGALURU RURAL DISTRICT, BENGALURU.

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 in Crime No.218/2026 registered by Kaggalipura Police Station, Bengaluru South, for the offences punishable under Section 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4(2) of the Protection of Children from Sexual Offences Act, 2012 ('POCSO Act' in short) 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. Respondent No.2, who is served in this matter has remained unrepresented before this Court.

3. FIR in Crime No.218/2026 was registered by Kaggalipura Police Station, Bengaluru South, for the offence punishable under Section 137(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, against the petitioner herein based on the first information dated 27.07.2026 received from respondent No.2, who is the father of the victim girl. During the course of investigation petitioner and victim girl were traced together at her grandmother's house.

4. Subsequently, petitioner was arrested and remanded to judicial custody on 31.07.2026. His bail application filed before the trial Court in Crl.Misc.No.2195/2026 was rejected on 15.10.2026. Therefore, he is before this Court.

5. In the first information submitted by the father of the victim girl, it is averred that victim girl who had gone out of the house on 26.07.2026, had not returned home. Efforts made to trace her had failed and on the next day father of the victim girl approached the police.

6. During the course of the investigation petitioner and victim girl were traced together and brought back. Petitioner was arrested and remanded to the judicial custody on 31.07.2026. Statement of the victim girl under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 was recorded subsequently on 19.08.2026. In the said statement, the victim girl has stated that she is studying 9th Standard. She has further stated that she got acquainted with the petitioner who was working in Amazon Factory through Instagram and subsequently they started loving each other. In the month of July, 2026, she had met the petitioner for the first time at Kengeri Bus Stand and after talking to him for sometime, she had returned home. Thereafter she had met him near her house.

7. On 26.07.2026, she had called the petitioner on his mobile phone and asked him to come near her house. Petitioner who came near her house picked up her in his motor bike and she allegedly asked him to take her along with him. Therefore, petitioner took her to his house at

Srinagar and they stayed in the said house. She has further stated that she and the petitioner had consensual sex in the said house. Subsequently, on 27.07.2026, she and petitioner had gone to the house of the petitioner's friend and they had informed about their love to the parents of the petitioner's friend, who advised them to concentrate on studies. Thereafter, they also informed about their love affair to the mother of the petitioner, who also advised them. Subsequently, they went to the house of grand mother of the victim girl and stayed there. After the grand mother of the victim girl informed her parents, police came to the said house and brought them back.

8. From the aforesaid statement, it is evident that petitioner and the victim girl were in love and they had voluntarily gone together and stayed in various places. Petitioner aged 19 years having no other criminal antecedents is in custody. Investigation of the case is already completed. Continued detention of the petitioner in

custody amongst hardcore criminals may have an adverse impact on his mind set.

9. Under the circumstance, 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.218/2026 registered by Kaggalipura Police Station, Bengaluru South for the offences punishable under Section 137(2) of the BNS, 2023 and Section 4(2) of the POCSO Act 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.: 64