HC-KAR

CNR: KAHC010732522026

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. 16051 OF 2026

BETWEEN:

SRI ADITYA
S/O AMBADAS
AGED ABOUT 19 YEARS
R/AT WADDAR SANGH AREA
SHAHABAD POST, CHITAPUR OF TALUK
GULBARGA DISTRICT - 585 228.

...PETITIONER

(BY SRI NAIK VENKATRAMAN NAGAPPA, ADV.)

AND:

1. THE STATE BY YELAHANKA
NEW TOWN POLICE, BENGALURU CITY
REPRESENTED BY THE STATE
PUBLIC PROSECUTOR, HIGH COURT OF
KARNATAKA, BENGALURU - 560 001.

2. XXX
OR
REPRESENTED BY
THE DESIGNATED SUPPORT
PERSON /CHILD WELFARE COMMITTEE
(CWC-URBAN), DISTRICT CHILD
PROTECTION UNIT COMPLEX
BEHIND KIDWAI HOSPITAL
DR. M.H. MARIGOWDA ROAD
BENGALURU - 560029.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO GRANT AN ORDER OF REGULAR BAIL TO THE PETITIONER IN CRIME NO. 329/2026, REGISTERED BY THE RESPONDENT POLICE, FOR THE OFFENCE PUNISHABLE UNDER

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

SECTIONS 9 AND 10 OF THE PROHIBITION OF CHILD MARRIAGE ACT, 2006, SECTIONS 5(L), 5(J)(ii), AND 6 OF THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO) ACT, 2012, AND SECTION 64(2)(m) OF THE BHARATIYA NYAYA SANHITA (BNS), 2023, PENDING BEFORE THE HONBLE C/C FTSC-IV, ADDL CITY CIVIL AND SESSIONS JUDGE AT 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

1. Accused No.1 in Crime No.329/2026 registered by Yelahanka New Town Police Station, Bengaluru, for the offences punishable under Sections 64(2)(m) of BNS, 2023, Sections 5(l), 5(j)(ii) and 6 of the POCSO Act, 2012 and Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006, 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. Respondent No.2, who is served in the matter has remained unrepresented before this Court. However, victim girl, who is present in-person, before this Court submits that petitioner is her husband and she is now pregnant and there is nobody to take care of her.

3. FIR in the present case was registered in Crime No.329/2026 by Yelahanka New Town Police Station, Benglauru, against the petitioner for the aforesaid offences based on the first information received from the victim girl on 29.07.2026. In the said case, petitioner was arrested on 20.08.2026 and remanded to judicial custody. His bail application filed before the Trial Court in Crl.Misc.No.9574/2026 was rejected on 13.10.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that petitioner and the victim girl, aged about 17 years, were in love and subsequently they got married. It appears that when the victim girl had gone to the Hospital for her medical check-up, she was found to be pregnant and after verifying her age, her statement was recorded by the police, who have registered FIR against the petitioner for the aforesaid offences. Petitioner aged 19 years, having no other criminal antecedents is in custody for the last nearly four months. Investigation of the case is now completed and charge sheet is already filed. Considering the nature of allegations found against the petitioner and also the fact that victim girl, who has appeared in-person before the

Court, has stated that she is pregnant and there is nobody to take care of her, 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:-

5. The petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.329/2026 registered by Yelahanka New Town Police Station, Bengaluru, for the offences punishable under Sections 64(2)(m) of BNS, 2023, Sections 5(l), 5(j)(ii) and 6 of the POCSO Act, 2012 and Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006, subject to the following conditions:

a) Petitioner shall execute a personal bond for a sum of Rs.50,000/- with one surety 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