HC-KAR

NC: 2026:KHC:59256
CRL.P No. 16043 of 2026

CNR: KAHC010732792026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 16043 OF 2026

BETWEEN:

MOHANKUMAR,
S/O MUNIYAPPA,
AGED ABOUT 28 YEARS,
R/A MUNIYYANAPALYA VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT - 577 003.

...PETITIONER

(BY SRI. RAJU C N., ADVOCATE)

AND:

Digitally signed by
LAKSHMINARAYAN N
Location: High Court
of Karnataka

STATE BY MADDUR POLICE,
MANDYA,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA
AT BANGALORE - 560 001.

...RESPONDENT

(BY SRI.RANJITH KUMAR, HCGP)

THIS CRL.P. IS FILED U/S 438 CR.PC (FILED U/S 482 BNNS) PRAYING TO ENLARGE THE PETITIONER ON ANTICIPATORY BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.36/2018 OF MADDUR POLICE MANDYA ON THE FILE OF THE

ADDL.CIVIL JUDGE AND JMFC COURT, MADDUR FOR THE OFFENCES P/U/S 394 OF IPC BY ALLOWING THIS PETITION.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

The petitioner has filed this petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in the event of his arrest in Crime No.36/2018 of Maddur Police Station, Mandya District, on the file of the Additional Civil Judge (Jr.Dn.) and JMFC Court, Maddur, Mandya District.

2. Heard the arguments on both sides.

3. On the basis of the complaint filed by one Sri.Ravikumar, Maddur Police have registered the case in Crime No.36/2018 against 4 members thieves name not known and submitted the FIR to the Court. After investigation, the Investigation Officer has submitted the charge sheet against

accused Nos.1 to 3 for an offence punishable under Section 384 of the IPC.

4. The petitioner had filed an application under Section 482 of BNSS, 2023 before the trial Court and the same was rejected. Being aggrieved by the said order, the present petitioner has filed this Criminal petition.

5. It is submitted by the learned counsel for the petitioner that the investigation is already completed and that the petitioner is not required for custodial interrogation. Accused Nos.1 and 2 have already been released on bail by the trial Court. The alleged commission of offences are not punishable with death or imprisonment for life. It is also submitted that the offence under Section 394 of the IPC is exclusively triable by the Court of Magistrate. Hence, I proceed to pass the following :-

ORDER

The petition is ***allowed***. The respondent - Police is directed to release the petitioner in the event of his arrest in

Crime No.36/2018 registered by Maddur police station and C.C.No.3091/2021 on the file of II Additional Civil Judge and JMFC, Maddur for an offence punishable under Section 384 of the IPC, subject to the following conditions:

i. The petitioner shall be released on bail on executing a self bond of Rs.50,000/- (Rupees Fifty Thousand only) with one surety for like sum to the satisfaction of the trial Court.

ii. The petitioner shall not tamper or threaten the prosecution witnesses in any manner.

iii. The petitioner shall appear before the trial Court on all the dates of hearing.

Sd/-
(G BASAVARAJA)
JUDGE

SJK
List No.: 1 Sl No.: 8