HC-KAR

NC: 2026:KHC:64879
CRL.P No. 16368 of 2026

CNR: KAHC010740132026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16368 OF 2026

BETWEEN:

1. GANAPATHI K.S.
   S/O LATE SHIVARUDRAPPA
   AGED ABOUT 20 YEARS
   R/O UDRI VODDIGERE VILLAGE
   SORABA TALUK
   SHIVAMOGGA DISTRICT - PIN 577.

...PETITIONER

(BY SRI VASANTHA KUMAR K.M, ADV.)

AND:

1. STATE OF KARNATAKA
   REP. BY SHIRALKOPPA
   POLICE STATION, NOW REPRESENTED
   BY ITS STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   BENGALURU - 560 001.

2. HANUMANTHAPPA
   S/O SANNAPPA
   AGE 50 YEARS
   OCC BILL COLLECTOR
   CHIKKA MAGADI GRAM PACHAYATH
   R/O MALLAPURA VILLAGE
   SHIKARIPURA TALUK PIN - 577 214.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
V/O 20.11.2026, SERVICE OF NOTICE
TO R-2 IS HELD SUFFICIENT)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL IN SPL.C.NO.94/2026 (CR.NO.04/2026) REGISTERED BY THE SHIRALAKOPPA POLICE STATION FOR THE OFFENCES P/U/S 87,

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

127(2) AND 64(2) OF BNS AND SEC. 4(1) OF THE POCSO ACT, PENDING ON THE FILE OF THE ADDL. DISTRICT AND SESSIONS JUDGE, FTSC-I, (POCSO) SHIVAMOGGA.

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 Special Case No.94/2026 pending before the Court of Additional District and Sessions Judge, FTSC-I, Shivamogga, arising out of Crime No.4/2026 registered by Shiralakoppa Police Station, Shivamogga, for the offences punishable under Sections 87, 64(2) and 127(2) of BNS, 2023 and Section 4(1) of 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 the learned HCGP for respondent No.1. Respondent No.2, who is served in the matter has remained unrepresented before this Court.

3. FIR in Crime No.4/2026 was registered by Shiralakoppa Police Station, Shivamogga, for the offence punishable under

Section 137(2) of BNS, 2023, based on the first information received from the father of the victim girl, aged 16 years 9 months. In the said case, petitioner was arrested on 18.01.2026 and remanded to judicial custody. His bail application filed before the Trial Court in Crl.Misc.No.1004/2026 was rejected on 21.09.2026. Therefore, he is before this Court.

4. In the first information, it is stated that victim girl was found missing from their house on 05.01.2026. Efforts made to trace her had failed and therefore, her father had approached the police on the next day. During the course of investigation, petitioner and the victim girl were traced. Petitioner was arrested on 18.01.2026 and remanded to judicial custody.

5. Statement of the victim girl under Section 183 of BNSS, 2023, was recorded on 24.01.2026 by the jurisdictional Magistrate. In the said statement, victim girl has stated that petitioner is acquainted to her and she had voluntarily gone with the petitioner. She has not made any allegation against the petitioner, which would attract the alleged offence punishable under the POCSO Act. Petitioner aged 20 years,

having no other criminal antecedents is in custody from 18.01.2026. Investigation of the case is completed and charge sheet is filed. Accordingly, the following order:-

6. The petition is allowed. The petitioner is directed to be enlarged on bail in Special Case No.94/2026 pending before the Court of Additional District and Sessions Judge, FTSC-I, Shivamogga, arising out of Crime No.4/2026 registered by Shiralakoppa Police Station, Shivamogga, for the offences punishable under Sections 87, 64(2) and 127(2) of BNS, 2023 and Section 4(1) of 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;

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 68