HC-KAR

NC: 2026:KHC:64356
CRL.P No. 16491 of 2026

CNR: KAHC010745772026

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. 16491 OF 2026

BETWEEN:

1. SUBHASH @ SUBBI
S/O SHANKAR
AGED ABOUT 19 YEARS
R/AT 1ST CROSS, BEHIND
KURUBA HOSTEL
VINAYKA BADAVANE
MANDYA CITY, PIN 571401.

...PETITIONER

(BY SRI LAKSHMIKANTH K, ADV.)

AND:

1. STATE OF KARNATAKA
BY KEREGODU P.S
MANDYA, REP BY STATE PP
HIGH COURT BUILDING
HIGH COURT OF KARNATAKA
BENGALURU - 01.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO RELEASE THE PETITIONER ON BAIL IN SC.NO.10/2026 ARISING OUT OF CRIME NO.28/2025 REGISTERED BY RESPONDENT KERAGODU POLICE STATION FOR THE OFFENCE PUNISHABLE UNDER SECTION 131, 121(1), 109 OF BNS, NOW PENDING ON THE FILE OF I ADDL. DISTRICT AND SESSIONS JUDGE, AT MANDYA.

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

CNR: KAHC010745772026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused in S.C.No.10/2026 pending before the Court of I Additional District and Sessions Judge, Mandya arising out of Crime No.28/2025 registered by Keragodu Police Station, Mandya for the offences punishable under Section 132, 121(1), 109 of BNS, 2023, is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.28/2025 was registered by Keragodu Police Station, Mandya for the aforesaid offences against the petitioner herein, based on the first information dated 26.02.2025 received from Sri Sheshadri Kumar, Police Officer attached to Mandya East Police Station. In the said case, the petitioner was arrested on 17.09.2026 and remanded to judicial custody. His bail application filed

thereafter before the jurisdictional Sessions Court in S.C.No.10/2026 was rejected on 07.10.2026. Therefore, he is before this Court.

4. A reading of the first information as well as the charge sheet filed in the present case would go to show that on 25.02.2025, the first informant and his staff had gone to apprehend the petitioner, who was arrayed as an accused in Crime No.30/2025 registered by Mandya East Police Station for the offences punishable under Section 189(2), 191(2), 126(2), 352, 351(2), 115(2), 118(1), 109 and 190 of BNS, 2023. It appears that after apprehending the petitioner, when the police were on their way to the police station, the petitioner managed to escape and take shelter in a nearby field. Thereafter, combing of the area was done by the police officers, and at about 06:00 a.m. on 26.02.2025, the petitioner was traced and when an attempt was made to apprehend him, he allegedly started throwing stones at the police officers. Therefore, the first informant fired a bullet from his service pistol on the right

leg of the petitioner. The petitioner was thereafter apprehended and admitted in a Government Hospital at Mandya. After the petitioner was discharged from the hospital, he was remanded to custody in Crime No.30/2025 registered by Mandya East Police Station and was produced under body warrant in this case before the learned Magistrate. Even after filing of the charge sheet before the Trial Court in the present case, the petitioner was being produced before the Trial Court under body warrant and at no point of time, he was remanded to custody in the present case. It appears that subsequently, the petitioner was granted bail in Crime No.30/2025 registered by Mandya East Police Station and therefore, he was released from jail. It is under these circumstances, non-bailable warrant was issued against the petitioner in the present case and his presence was secured on 17.09.2026 and remanded to judicial custody.

5 In the incident that had taken place on 26.02.2025, the injured Police Constable had suffered only simple injuries as a result of the petitioner throwing stone at him. On the other hand, the petitioner had suffered a grievous injury on his right leg as a result of the bullet injury suffered by him.

6 The petitioner, aged 19 years, is in custody. Investigation of the case is already completed and charge sheet is filed. He was all along being produced in the present case under body warrant and only after he was released on bail in Crime No.30/2025, the Trial Court had issued non-bailable warrant against him.

7 Learned counsel for the petitioner has submitted that the petitioner shall abide by the conditions that may be imposed on him.

8 Learned HCGP has brought to the notice of this Court that the petitioner is a person with criminal

antecedents, having five other criminal cases registered against him.

9 Considering the age of the petitioner, and also the allegations found against him in the present case, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

ORDER

i) The Criminal Petition is ***allowed***.

ii) The petitioner is directed to be enlarged on bail in S.C.No.10/2026 pending before the Court of I Additional District and Sessions Judge, Mandya arising out of Crime No.28/2025 registered by Keragodu Police Station, Mandya for the offences punishable under Section 132, 121(1), 109 of BNS, 2023, 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.

f) The petitioner shall appear before the Station House Officer (S.H.O) of Keragodu Police Station, Mandya on every first and third Saturday of the month between 10.00

a.m. and 1.00 p.m. and mark his attendance regularly till the present case registered against him is disposed of.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 72