HC-KAR

NC: 2026:KHC:62057
CRL.P No. 16529 of 2026

CNR: KAHC010746332026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16529 OF 2026

BETWEEN:

1. SRI GIRISHA M
S/O SRI MAHADEVA
AGED ABOUT 37 YEARS
RESIDING AT NO.3/243
NAYAKARA DODDA BEEDI
CAUVERY ROAD, KOLLEGALA TOWN
CHAMARAJANAGAR - 571 440.

2. KUM. MALATHI M
D/O SRI MAHADEVA
AGED ABOUT 43 YEARS
KOLLEGALA TOWN
CHAMARAJANAGAR - 571 440.

3. SMT. MAHADEVAMMA ROOPA
W/O SRI. RANGASWAMY NAYAKA
AGED ABOUT 49 YEARS
NO.1/281, NAYAKARA STREET
HARADANAHALLI VILLAGE
CHAMARAJANAGAR TALUK
CHAMARAJANAGAR - 571 127.

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

4. KUM ANUSHA R
D/O SRI RANGASWAMY NAYAKA
AGED ABOUT 27 YEARS
RESIDING AT HARADANAHALLI VILLAGE
CHAMARAJANAGAR TALUK
CHAMARAJAGAR - 577 127.

5. KUM. REVATHI R
D/O SRI RANGASWAMY NAYAKA
AGE ABOUT 25 YEARS
RESIDING AT NAYAKARA BEEDI
HARADANAHALLI VILLAGE AND
HOBLI, CHAMARAJANAGAR TALUK
CHAMARAJANAGAR - 571 127.

6. SRI JAYAKANTH R
S/O RANGASWAMY NAYAKA
AGE ABOUT 21 YEARS
R/A NAYAKARA BEEDI
HARADANAHALLI VILLAGE
AND HOBLI, CHAMARAJANAGAR TALUK
CHAMARAJANAGAR - 571 127.

7. SRI RANGASWAMY
S/O SRI BASAVANAYAKA
AGED ABOUT 57 YEARS
RESIDING AT HARADANAHALLI VILLAGE
CHAMARAJANAGAR TALUK
CHAMARAJANAGAR - 571 127.

…PETITIONERS

(BY SRI ANITHA C, ADV., FOR
SRI K.B. NAVEEN KUMAR, ADV.)

AND:

STATE OF KARNATAKA
BY CHAMARAJANAGAR WOMEN
POLICE STATION, CHAMARAJANAGAR
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.

…RESPONDENT

(BY SRI CHANNAPPA EERAPPA, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNNS) PRAYING TO ALLOW THE ABOVE PETITION THEREBY GRANTING THE PETITIONERS ANTICIPATORY BALL UNDER SECTION 482 OF BNSS (SECTION 438 OF CR.P.C.), DIRECTING THE RESPONDENT POLICE TO RELEASE THE PETITIONERS ON BALL IN THE EVENT OF THEIR ARREST IN CONNECTION WITH CRIME NO.46/2026 HERE WITH PRODUCED AS ANNEXURE A REGISTERED BY CHAMARAJANAGAR WOMEN POLICE STATION, CHAMARAJANAGAR PENDING ON THE FILE OF THE PRINCIPAL SR.CIVIL JUDGE AND CJM COURT, CHAMARAJANAGAR, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 85, 115(2), 352, 351(2) AND 190 OF BNS AND SECTIONS 3 AND 4 OF THE DOWRY PROHIBITION ACT, 1961.

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

CNR: KAHC010746332026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused Nos.1 to 7 in Crime No.46/2026 registered by Chamarajanagar Women Police Station, Chamarajanagar, for the offences punishable under Sections 85, 115(2), 352, 351(2) and 190 of BNS, 2023 and Sections 3 and 4 of the Dowry Prohibition Act, 1961, are before this Court in this petition filed under Section 482 of BNSS, 2023, seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.46/2026 was registered by Chamarajanagar Women Police Station, Chamarajanagar, for the aforesaid offences against petitioners herein based on the first information dated 28.09.2026 received from Smt. Veedanayaka S, wife of accused No.1. Apprehending arrest in the case, petitioners had approached the jurisdictional Sessions Court in Crl.Misc.No.405/2026, which was rejected on 14.10.2026. Therefore, he is before this Court.

4. A reading of the first information would reveal that marriage of accused No.1 with defacto complainant was solemnized on 22.11.2023. It is alleged that at the time of

marriage, as per the demand made by accused persons, family of the defacto complainant had given dowry. It is stated that initially accused No.1 and his wife were living happily as husband and wife and subsequently, at the instance of other accused persons, accused No.1 started ill-treating his wife in furtherance of demand for dowry. A reading of the first information would reveal that prior to the first informant approaching the police on 28.09.2026, there was a conciliation proceedings before Taluk Legal Services Committee at Kollegala wherein both the parties had appeared and first informant had stated that if she was paid money, she was ready and willing to give divorce to her husband. Material on record would go to show that after 29.03.2026, accused No.1 and his wife are not residing together. First information is subsequently filed after a period of more than six months. Considering the aforesaid aspects of the matter and the omnibus allegations found against the accused, the following order:-

5. The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.46/2026

registered by Chamarajanagar Women Police Station, Chamarajanagar, for the offences punishable under Sections 85, 115(2), 352, 351(2) and 190 of BNS, 2023 and Sections 3 and 4 of the Dowry Prohibition Act, 1961, subject to the following conditions:

1. The Petitioners shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum to the satisfaction of the investigating officer.

2. Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

3. Petitioners shall not tamper with the prosecution witnesses and they shall co-operate with the police for investigation and appear before them whenever called upon.

4. The petitioners shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN/List No.: 1 Sl No.: 76