HC-KAR

NC: 2026:KHC:65602
CRL.A No. 1840 of 2026

CNR: KAHC010748092026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO.1840 OF 2026 (U/S 14(A) (2))

BETWEEN:

1. SRI PRAKASH
   S/O NARASIMHAPPA,
   AGED ABOUT 49 YEARS,

2. SRI. SUNIL,
   S/O PRAKASH,
   AGED ABOUT 24 YEARS,

3. SRI. ANIL YADAV,
   S/O PRAKASH,
   AGED ABOUT 22 YEARS,

   ALL ARE RESIDING AT
   KAIWARA VILLAGE,
   CHINTAMANI TALUK,
   CHIKKABALLAPURA DISTRICT-563128

...APPELLANTS

Digitally signed by
LAKSHMINARAYAN N
Location: High Court
of Karnataka

(BY SRI. SRIKANTH N. V.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY CHINTAMANI RURAL POLICE STATION,
   CHINTAMANI SUB-DIVISION,
   REPRESENTED BY
   STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDING,
   BANGALORE - 560001

2. SMT. LAKSHMAMMA.,
W/O LATE NARAYANASWAMY,
AGED ABOUT 50 YEARS,
R/A KAIWARA VILLAGE,
CHINTAMANI TALUK, 563128
CHIKKABALLAPURA DISTRICT.

…RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP. FOR R1,
V/O DTD: 19/11/26 SRI. PRUTHVEEN KATTIMANI, AMICUS CURIAE FOR R2.)

CRL.A FILED U/S 14A(2) OF SC AND ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ENLARGE THE APPELLANTS ON ANTICIPATORY BAIL IN CONNECTION WITH CRIME NO. 310/2026, REGISTERED BY CHIKKABALLAPURA RURAL POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 115(2), 118(1), 351(2), 352 AND 3(5) OF THE BHARATIYA NYAYA SANHITA, 2023, AND SECTIONS 3(1)(R) AND 3(1)(S) OF THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989, WITH A DIRECTION TO RELEASE THE APPELLANTS ON BAIL IN THE EVENT OF THEIR ARREST IN THE SAID CRIME, ON SUCH TERMS AND CONDITIONS AS THIS HON'BLE COURT MAY DEEM FIT.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

Appellants have preferred this appeal against the order dated 12.10.2026 passed in Criminal Misc. No.496 of 2026 by the I Addl. District & Sessions Judge, Chikkaballapura.

2. Despite service of notice, respondent No.2 remained absent and represented. Hence, Sri Pruthveen Kattimani, learned Advocate, is appointed as amicus curiae to represent respondent No.2.

3. I have heard the arguments on both sides.

4. On the basis of complaint filed by Smt. Lakshmamma, Chintamani Rural Police registered case in Crime No.310 of 2026 for the offences punishable under Sections 115(2), 118(1), 351(2) And 352 read with section 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s) of the Scheduled Cates and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Application was filed under section 482 of BNSS 2023 seeking grant of anticipatory bail. The same came to be rejected by the Special Court. Hence, appellants have preferred this appeal.

4. It is submitted by the learned High Court government Pleader that charge-sheet is already filed against the accused. The learned Counsel for the appellants would submit that the alleged scuffle occurred due to the existing civil dispute

between the parties. Hence penal provisions of SC/ST (Prevention of Atrocities) Act are not applicable. To substantiate his argument, he would rely on the judgment of Hon'ble Apex Court in the case of SHAJAN SKARIA v. STATE OF KERALA & ANOTHER reported in AIR 2024 SC 4557.

5. A careful examination of the contents of the complaint reveals that the alleged scuffle took place between the complainant and accused with regard to digging of mud in the land. The accused have not abused the complainant with an intention to humiliate him for the reason that he belong to such community. This scuffle took place regarding the digging of mud in the land. Moreover, it is submitted by the High Court Government Pleader that charge-sheet is already submitted against the accused. The custodial interrogation of the accused/appellants is not required. Since the investigation is already completed, considering the nature and gravity of offence, prior antecedents of the appellants, it is just proper to allow the appeal. Accordingly, I proceed to pause the following:

O R D E R

(1) Appeal is allowed;

(2) Order dated 12.10.2026, passed in Criminal Misc.No.496 of 2026 by the I Additional District and Sessions Judge, Chikkaballapura is set aside. Consequently, the application filed under Section 482 of BNSS, 2023, is allowed;

(3) Appellants shall be released on bail upon executing a self bond of Rs.50,000/- each with one surety each for the likesum to the satisfaction of the trial Court/Investigating Officer, in the event of their arrest in Crime No.310 of 2026 of Chintamani Rural Police Station;

(4) Appellants shall not tamper or threaten the prosecution witnesses in any manner;

(5) Appellants shall appear before the trial Court all dates of hearing.

Registry to communicate this order to the trial court through e-mail.

Registry is directed to pay an amount of Rs.5,000/- to Sri Pruthveen Kattimani, Amicus Curiae.

Sd/-
(G BASAVARAJA)
JUDGE

LNN
List No.: 1 Sl No.: 31