HC-KAR

NC: 2026:KHC:61314
CRL.P No. 16646 of 2026

CNR: KAHC010752762026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16646 OF 2026

BETWEEN:

SRI ASHRAF @ ANSARI
S/O UMAR MUSALIYAR
AGED ABOUT 37 YEARS
R/AT TADIYANCHERIYA HOUSE
KAKKUPADIVEEDU
KALLAMALAI VILLAGE
AGLI PANCHAYAT
MANNARKAD TALUK
PALAKKAD DISTRICT
KERALA STATE - 678 582
ALSO AT, 123/2, 7TH MAIN
1ST STAGE, BRINDAVANA EXTENSION
MYSURU.

...PETITIONER

(BY SRI RESHMA P, ADV.)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

STATE BY STATE BY TOWN POLICE STATION
CHAMARAJANAGAR, REPRESENTED BY
HIGH COURT STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 439(1)(b) CR.PC (FILED U/S 483(1)(b) BNSS) PRAYING TO MODIFY THE CONDITIONS IN THE ORDER PASSED IN CRL.P.NO.15495/2026 BY ALLOWING THIS PETITION AND PERMITTING THE PETITIONER TO FURNISH CASH SURETY INSTEAD OF TWO SURETIES.

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

CNR: KAHC010752762026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

This petition under Section 483(1)(b) of BNSS, 2023 is filed with a prayer to modify condition No.(a) imposed by this Court in Crl.P.No.15495/2026 disposed of on 17.10.2026.

2. Heard the learned counsel for the parties.

3. The petitioner, who is arrayed as accused No.1 in Crime No.132/2025 registered by Chamarajanagar Town Police Station, Chamarajanagar for the offences punishable under Section 310(2), 310(4) and 61 of BNS, 2023 had approached this Court in Crl.P.No.15495/2026 seeking regular bail. The said petition was allowed by this Court on 17.10.2026, subject to certain conditions. Condition No.(a) imposed by this Court reads as follows:

> "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;"

Seeking modification of the aforesaid condition, the petitioner is before this court.

4. Learned counsel for the petitioner submits that the petitioner is not in a position to furnish two sureties and therefore, though he was granted bail by this Court on 17.10.2026, he has still remained in custody.

5. *Per contra*, learned High Court Government Pleader does not seriously oppose the prayer made in the petition.

6. The petitioner, who was arrested in the present case on 29.07.2025, was granted regular bail by this Court in Crl.P.No.15495/2026 vide order dated 17.10.2026. However, only for the reason that he is not in a position to comply the aforesaid bail condition directing him to furnish two sureties, he has still remained in custody, though granted bail by this Court.

7. Under the circumstance, I am of the opinion that the petitioner's prayer for modification of condition No.(a) needs to be partly allowed. Accordingly, following:

ORDER

i) The criminal petition is ***allowed-in-part***.

ii) Condition No.(a) imposed by this Court in Crl.P.No.15495/2026 vide order dated 17.10.2026 is modified and the modified condition shall read as follows:

"(a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with one surety for the likesum, to the satisfaction of the jurisdictional Court;"

iii) All other conditions shall remain unaltered.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 13