HC-KAR

NC: 2026:KHC:62798
CRL.P No. 16966 of 2026

CNR: KAHC010770112026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16966 OF 2026

BETWEEN:

KUMARI TANGI @ POOJA SETHI,
W/O GANGADHAR SETHI,
AGED ABOUT 36 YEARS,
R/AT RANGINIGUDA VILLAGE,
PADWA POLICE STATION,
BOIPARIGUDA TAHASHEEL,
KORAPUT DISTRICT,
ODISSA - 764043

...PETITIONER

(BY SMT. ROHINI A., ADVOCATE)

AND:

STATE OF KARNATAKA,
STATE BY WHITEFIELD P.S.,
REPTD. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA
BENGALURU – 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP. .,ADVOCATE)

Digitally signed by CHETAN B C
Location: High Court of Karnataka

THIS CRL.P FILED U/S 439(1)(b) CR.PC (FILED U/S 483(1)(b) BNSS) PRAYING TO MODIFY THE CONDITION PASSED BY THE HON'BLE VIII ADDITIONAL DISTRICT AND SESSIONS JUDGE AND SPL. JUDGE (NDPS), AT BENGALURU RURAL IN CRL. MISC. NO.2271/2026 DATED 17/10/2026 AND PASS AN ORDER OF BAIL ENLARGING THE PETITIONER BY MODIFYING THE CONDITION NO.1 I.E. INSTEAD OF DEPOSITING CASH SECURITY OF RS.75,000/-, THE PETITIONER SHALL FURNISH ONE SURETY IN CRIME

NO.181/2026 OF WHITEFIELD POLICE, AND ON THE FILE OF THE HON'BLE VIII ADDITIONAL DISTRICT AND SESSIONS JUDGE AT BANGALORE RURAL, FOR THE OFFENCES PUNISHABLE U/S 20(b) (ii) (A) AND 8(C) OF NDPS ACT.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

This petition under Section 483(1)(b) of Bharatiya Nagarak Suraksha Sanhita, 2023, is filed with a prayer to relax/modify condition imposed by the Court of VIII Additional District and Sessions Judge and Spl. Judge (NDPS), Bangalore Rural District, in Crl.Misc.No.2271/2026 vide order dated 17.10.2026, directing the petitioner to furnish cash security of Rs.75,000/- in lieu of two sureties while granting bail to the petitioner in Crime No.181/2026 registered by White Field Police Station, Bangaluru, for offences punishable under Sections 20(b)(ii)(A) and 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the parties.

3. Petitioner was arrested in the present case and contraband article allegedly ganja weighing 12 kgs 650 grams was recovered from her under panchanama. Her bail application in Crl.Misc.No.1731/2026 was allowed by the Trial Court on 24.08.2026, subject to certain conditions. One of the condition directed the petitioner to execute a personal bond for a sum of Rs.1,00,000/- and to provide two local sureties for the likesum. Seeking modification/relaxation of the said condition, petitioner had filed Crl.Misc.No.2271/2026 before the Trial Court which was partly allowed and petitioner was directed to provide cash security of Rs.75,000/- in lieu of the two sureties.

4. Assailing the modified condition imposed by the Trial Court in Crl.Misc.No.2271/2026, the petitioner is before this Court.

5. Learned counsel for the petitioner submits that the petitioner is a poor lady and she is not in a position to furnish cash security of Rs.75,000/-. She submits that the petitioner

shall furnish one local surety and accordingly, prays to modify the condition imposed by the Trial Court.

6. Learned HCGP, however, brings to the notice of this Court that the petitioner appears to be a habitual offender and in the present case, she was arrested when she was transporting contraband article ganja from Odisha to Bangalore.

7. Petitioner who has been granted bail in the present case vide order dated 24.08.2026 passed in Crl.Misc.No.1731/2026, has remained in custody for the reason that she is not in a position to comply the bail condition.

8. Under the circumstances, I am of the opinion that if the condition imposed by the Trial Court is suitably modified, the same would serve the ends of justice. Accordingly, the following:

O R D E R

[I] Criminal Petition is ***partly allowed***.

[II] Condition imposed by the Trial Court in Crl.Misc.No.2271/2026 vide order dated 17.10.2026 directing the petitioner to execute personal bond for a sum of Rs.1,00,000/- with cash security of Rs.75,000/- in lieu of two sureties is modified and the modified condition shall read as follows:

(a) Petitioner is directed to execute personal bond for a sum of Rs.1,00,000/- with one local surety for the likesum to the satisfaction of the Trial Court and she also shall furnish cash surety of Rs.10,000/-.

(b) All other conditions imposed by the Trial Court shall remain unaltered.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

CBC
List No.: 1 Sl No.: 12