



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 23RD DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR
CRIMINAL PETITION No. 129 OF 2026 (439(Cr.PC) /
483(BNSS))

BETWEEN:

1. SRI KALLESH S
S/O. SHANKARAIHA,
AGED ABOUT 41 YEARS,
R/O CHIKKA ANKANAHALLI VILLAGE,
HATHAKURU HOBLI,
MADDURU TALUK,
MANDYA DISTRICT - 571 415

PERMANENTLY R/AT KANNASANDY VILLAGE,
YEDIYUR HOBLI, KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 130
UNDER JUDICIAL CUSTODY FROM 05.12.2025

...PETITIONER

(BY SRI. SIDDARAMAIAH V B, ADVOCATE)

AND:

1. STATE BY
RAJAGOPAL NAGAR POLICE STATION,
NO.137, RAJAGOPALNAGAR MAIN ROAD,
3RD CROSS, KG NAGAR, LAGGERE,
BENGALURU - 560 058

REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA BUILDING,
BENGALURU - 560001

...RESPONDENT

(BY SMT.WAHEEDA.M.M, HCGP)

THIS CRL.P. IS FILED UNDER SECTION 439 CR.P.C
(UNDER SECTION 483 BNSS) PRAYING TO GRANT REGULAR
BAIL TO THE PETITIONER HEREIN BY DIRECTING THE
RESPONDENT-RAJAGOPAL NAGAR P.S., BENGALURU DISTRICT,





TO RELEASE THE PETITIONER WITH RESPECT TO CR.NO. 436/2025 REGISTERED BY THE RESPONDENT-RAJAGOPAL NAGAR P.S., BENGALURU, FOR THE OFFENCE PUNISHABLE UNDER SECTION 305 OF BNS, 2023, PENDING ON THE FILE OF THE 31st ACMM COURT, NRUPATUNGA ROAD, BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

1. This petition is filed by the sole accused under Section 483 of BNSS praying to grant bail in Crime No. 436/2025 of Rajagopal Nagar Police Station, Bengaluru, registered for offence under Section 305 of BNS.

2. Heard learned counsel for petitioner and learned HCGP for respondent – State.

3. Learned counsel for petitioner would contend that FIR is registered against unknown person. Name of the petitioner has not been shown in the complaint and FIR. Petitioner has been arrested on suspicion. There is recovery of golden mangalya chain weighing 50 gms at the instance of this petitioner. As major portion of investigation is over petitioner is not required for further custodial interrogation. With this he prayed to allow the petition.



4. Per contra, learned HCGP would contend that chargesheet has been filed against this petitioner for offence under Section 305 of BNS. Offence alleged against the petitioner is provided with punishment of imprisonment which may extend to 7 years. There is recovery of stolen golden mangalya chain at the instance of this petitioner from one Manoj to whom this petitioner had sold the said chain. Petitioner has been identified by the eyewitnesses. Petitioner is having criminal antecedents and involved in 13 cases and out of them, 10 cases are still pending. Details of the said cases is as under:

- a) Cr. No. 29/2024 - Govindaraj Nagar P.S. under Sections 457, 380
- b) Cr. No. 152/2024 - Kempegowda P.S. under Section 305
- c) Cr. No. 318/2018 - Konankunte P.S. under Section 380
- d) Cr. No. 405/2018 - Konankunte P.S. under Section 380 - acquitted
- e) Cr. No. 51/2018 - K.P. Agrahara P.S. - Acquitted
- f) Cr. No. 11/2018 - K.P. Agrahara P.S. - Acquitted
- g) Cr. No. 196/2017 - K.P. Agrahara P.S. - Acquitted
- h) Cr. No. 215/2017 - K.P. Agrahara P.S. - Acquitted
- i) Cr. No. 216/2017 - K.P. Agrahara P.S. - Acquitted
- j) Cr. No. 620/2017 - Vijayanagara P.S. - Compromised



- k) Cr. No. 667/2017 – Vijayanagar P.S. – Compromised
- l) Cr. No. 357/2018 – Konanakunte P.S. – Acquitted
- m) Cr. No. 231/2015 – Tumakuru Kunigal P.S. – Compromised

5. If the petitioner is granted bail there are chances of he committing similar offence. With this she prayed to reject the petition.

6. Having heard learned counsel for the parties, this Court has perused the FIR, complaint and other materials placed on record.

7. There was theft in the temple of 60 gms golden mangalya chain on 26.11.2025. At the instance of this petitioner 50 gms golden mangalya chain has been recovered from one Manoj. Petitioner had sold the said golden mangalya chain stolen in the temple to the said Manoj. Considering the said aspect and on perusal of the chargesheet material, there is prima facie case against the petitioner for the offence alleged against him. The offence alleged against the petitioner is provided with punishment of imprisonment which may extend to 7 years. Petitioner is having criminal antecedents and he is



involved in 13 cases. If the petitioner is granted bail there are chances of he repeating similar offence and flee from justice.

8. Considering the above aspects, petitioner has not made out any grounds for grant of bail.

In the result, petition is dismissed.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

LRS
List No.: 1 Sl No.: 46