



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 341 OF 2026 (439(Cr.PC) /
483(BNSS))

BETWEEN:

1. SADIK
S/O NAZEER SAB
AGED ABOUT 22 YEARS
R/AT PUNYAHALLI VILLAGE
HEBBANI POST,
BYRAKUR HOBLI
MULBAGAL TALUK-563 131
KOLAR DISTRICT.

...PETITIONER

(BY SRI. NARESH KUMAR P C.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY NANGLI P.S. NANGLI,
MULBAGAL TALUK
KOLAR DISTRICT
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.
2. MRS. XXXXXX
W/O SADIK
D/O SYED BHASHA
AGED ABOUT 19 YEARS
R/AT PUNYAHALLI VILLAGE
HEBBANI POST
BYRAKUR HOBLI
MULBAGAL TALUK-563 131.
KOLAR DISTRICT.

...RESPONDENTS





(BY SRI. M.R. PATIL, HCGP FOR R1;
SRI CHANDAN K. ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER / ACCUSED NO.1 ON REGULAR BAIL IN CRIME NO 188/2025 REGISTERED BY THE NAGLI POLICE STATION , MULUBAGAL THALUK , KOLAR DISTRICT PENDING ON THE FILE OF THE HONBLE ADDL. DISTRICT AND SESSION JUDGE, FTSC- 1 , (POCSO) AT KOLAR FOR THE OFFENSES PUNISHABLE UNDER SECTION 9 AND 10 OF THE PROHIBITION OF CHILD MARRIAGE ACT 2006, SECTION 6 OF THE PROTECTION OF CHILDREN FROM SEXUAL OFFENSES ACT 2012 (POCSO) AND SECTION 352 AND 64 (2) (m) OF THE BNS 2023.THE ADDL. DISTRICT AND SESSIONS JUDGE FTSC-1 (POCSO), KOLAR HAS DISMISSED THE BAIL PETITION ON 03.01.2026 IN C.R.NO. 188/2025.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by accused No.1 under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail in Crime No.188/2025 of Nangli Police Station registered for offences punishable under Sections 9 and 10 of Prohibition of Child Marriage Act, 2006, Section 6 of POCSO Act, 2012 and Sections 352 and 64(2)(m) of BNS.

2. Heard the learned counsel for petitioner, the learned counsel for respondent No.2 and the learned High Court Government Pleader for respondent No.1/State.



3. Learned counsel for petitioner would contend that there was marriage of petitioner with the victim girl. The victim girl was aged 18 years as on the date of their marriage, and her date of birth is 15.5.2006. She led her marital life in her husband's house. The father-in-law of the victim girl when scolded her, and made an attempt to assault her, she called police, and thereafter a complaint has been filed. The victim girl was not knowing the Kannada language, and he affixed her signature. She has not alleged any forcible sexual intercourse by the petitioner on her. Even in the statement of the victim girl recorded under Section 183 of BNSS, she has not alleged any sexual intercourse by this petitioner. The major portion of the investigation is over, and therefore, petitioner is not required for further custodial interrogation.

4. The learned counsel for respondent No.2 would submit that the victim girl appeared before this Court on



20.02.2026, and she has stated before this Court that she has no objection to grant bail to the petitioner, and her date of birth mentioned in the Adhar card is not correct, and she has submitted that her date of birth is 15.05.2006. He further submitted that respondent No.2/ victim girl has no objection for grant bail to the petitioner.

5. Learned High Court Government Pleader for respondent No.1/State has placed on record the statement of the victim girl recorded under Section 183 of BNSS. He further submitted that investigation is in progress. With this, he prayed to reject the petition.

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

7. As per the statement of the victim girl, on the basis of which, case has been registered, it is mentioned that she married the petitioner, and their marriage is arranged marriage. After marriage, she lived in her



husband's house. In the complaint, her date of birth is mentioned as 15.12.2008. The victim girl, who was present in the Court, submitted that her correct date of birth is 15.05.2006, and date of birth mentioned in the Adharcard is not correct.

8. The learned counsel for respondent No.2 submits that victim girl has admitted to school belatedly, and therefore, her date of birth mentioned in the school records and Adharcard is not correct. Even though considering the age of the victim girl, as per her date of birth mentioned in the complaint, she is aged about 17 years. The victim girl has led the marital life with the petitioner.

9. Considering the above aspects, the petitioner has made out a case for grant of bail with conditions.

In the result, the following:

ORDER

- i) The petition is allowed.



ii) The petitioner is granted bail in Crime No.188/2025 of Nangli Police Station registered for offences punishable under Sections 9 and 10 of Prohibition of Child Marriage Act, 2006, Section 6 of POCSO Act, 2012 and Sections 352 and 64(2)(m) of BNS subject to following conditions:

a) The petitioner shall execute bail bond for a sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the jurisdictional court.

b) The petitioner shall not tamper the prosecution witnesses either directly or indirectly.

c) The petitioner shall attend the Trial Court on all dates of appearing unless exempted and co-operate for speedy disposal of the case.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

BKM
List No.: 2 Sl No.: 14