



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. 256 OF 2026 (439(Cr.PC)

/ 483(BNSS))

BETWEEN:

1. RAKESH
S/O CHANDRA NAIK,
AGED ABOUT 19 YEARS,
R/AT NO.126/16, 6TH CROSS,
KADIRAPPA ROAD, COX TOWN,
BENGALURU-560005

...PETITIONER

(BY SRI. S.G RAJENDRA REDDY., ADVOCATE
FOR SRI GOUTHAM M.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BANGARPET POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001
2. MANJULA
W/O ARUN KUMAR,
AGED ABOUT 35 YEARS
R/AT NEAR MUBARAK SHADI MAHAL,
KHADER LAYOUT,
BANGARPET TOWN-563114

...RESPONDENTS

(BY SRI. M.R. PATIL, HCGP FOR R1;





R2 SERVED, UNREPRESENTED)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 CR.P.C (FILED U/S.483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 137(2),64(2)(m) OF BNS 2023 R/W SEC.6 OF POCSO ACT PENDING ON THE FILE OF THE HONBLE FILE OF THE ADDL DISTRICT AND SESSIONS JUDGE, FTSC I (POCSO) AT KOLAR, IN SPL.C(POCSO) NO.104/2025 DATED 23.12.2025 REGISTERED BY THE RESPONDENT BANGARPET POLICE IN CRIME NO. 256/2025.

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 sole accused under Section 483 of BNSS to grant bail in Crime No.256/2025 of Bangarapet Police Station registered for the offences punishable under Sections 137(2), 64(2)(m) of Bharatiya Nyay Sanhita, 2023 and Section 6 of POCSO Act.

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



3. In spite of service of notice, respondent No.2 remained absent and unrepresented.

4. Learned counsel for petitioner would contend that the victim girl in her statement recorded under Section 183 of BNSS has stated that she is having love affair with the petitioner, and on coming to know the same, her parents have scolded her, and therefore, she on her own left the house, went to Bangalore, and met the petitioner, who took her to his house. The doctor, who examined the victim girl, has noted that hymen of the victim girl appears normal. The petitioner is in judicial custody since 03.09.2025, and as a charge sheet is filed, he is not required for further custodial interrogation. With this, he prayed to allow the petition.

5. Per contra, learned High Court Government Pleader for respondent No.1/State would contend that the victim girl in her statement recorded under Section 183 of BNSS has specifically stated the forcible act of sexual



intercourse by this petitioner on her. The charge sheet materials show a prima facie case against the petitioner for the offences alleged against him. With this, he prayed to reject the petition.

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

7. On perusal of the statement of the victim girl recorded under Section 183 of BNSS, she has stated that she is having love affair with the petitioner, and as her family members scolded her in that regard, she went to Bangalore and met the petitioner. The victim girl is aged 17 years, and she is of the age of understanding the consequences of her acts. The doctor, who examined the victim girl has noted that hymen of the victim girl appears normal. The petitioner is in judicial custody since 03.09.2025, and as a charge sheet is filed, he is not



required for further interrogation. The petitioner is stated to be student aged 19 years and so also the victim girl.

8. 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.256/2025 of Bangarapet Police Station registered for the offences punishable under Section 137(2), 64(2)(m) of Bharatiya Nyay Sanhita, 2023 and Section 6 of POCSO Act subject to following conditions.

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the Trial 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 hearing unless exempted and cooperate for speedy disposal of the case.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

BKM
List No.: 2 SI No.: 13