



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

**CRIMINAL PETITION NO. 298 OF 2026 (439(Cr.PC) /
483(BNSS))**

BETWEEN:

ABHISHEK PALAN

S/O. UDAY PALAN,

AGED ABOUT 30 YEARS,

R/AT H.NO.18-61A, LAKSHMI NIVASA,

LAKSHMI NAGAR,

KODAVOOR VILLAGE,

UDUPI DISTRICT- 576108.

Digitally
signed by
SREEDHARAN
BANGALORE
SUSHMA
LAKSHMI

Location: High
Court of
Karnataka

...PETITIONER

(BY SRI. NISHIT KUMAR SHETTY., ADVOCATE)



AND:

STATE OF KARNATAKA
BY SHO, BRAMAVAR POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE - 560 001.

...RESPONDENT

(BY SMT. ASMA KOUSER, ADDL. SPP)

THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ORDER FOR THE RELEASE OF THE PETITIONER ON REGULAR BAIL IN CRIME NO.225/2025 OF BRAHMAVARA POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 109(1), 137(2), 115(2), 352 READ WITH SECTION 190 OF IPC PENDING ON THE FILE OF THE ADDITIONAL CIVIL JUDGE AND JMFC UDUPI.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. The petitioner/accused No.2 is before this Court seeking for regular bail in Crime No.225/2025 filed by the respondent/police for the offences punishable under Sections 109(1), 137(2), 115(2), 352 read with Section 190 of IPC.

2. The case of the prosecution is that on 29.10.2025 in the afternoon, when the complainant was with his friend Akash, the accused No.3 called him. When the complainant was speaking with him over the phone, the accused No.3 knowing that Akash was present along with him. Accused No.3 asked the complainant to hand over the phone to Akash. At that time, the complainant informed him that the phone was already on speaker mode, therefore, he can speak directly. During the conversation, accused No.3 started abusing Akash in the filthy language.



3. The complainant requested accused No.3 to settle the matter amicably, therefore, the complainant was asked to bring Akash to Marba around 06.00 p.m. As per the said instructions, the complainant went to Marba along with Akash, accused Nos.3 and 4 were already there, and there was a quarrel between Akash and accused Nos.3 and 4. The complainant intervened and managed to control the situation.

4. It is submitted that on the same day around about 09.15 p.m., when the complainant was at Barkur, accused No.1 having ascertained the location of the complainant and called his friends to come to the location. Other accused came to the said location with their respective bikes and car.

5. It is further alleged that all the accused have abducted the complainant in a car and took him to a ground near KEB situated at 52, Heroor village at



Brahmavara Taluk and assaulted him with iron rod and caused injuries. Hence, the complaint.

6. Based on the complaint, the respondent/police have registered a case in crime number as stated supra and after conducting investigation, submitted the charge sheet.

7. The submission of the learned counsel for the petitioner is that the petitioner is innocent of the alleged offences and he has been falsely implicated by the respondent-police by taking advantage of criminal cases pending against the petitioner. It is further submitted though it is alleged that the petitioner and others assaulted and caused injuries to the complainant, the said injuries are simple in nature.

8. It is further submitted that the petitioner has been enlarged on bail in other criminal cases except the present case. The petitioner has not violated bail conditions imposed by the respective Courts in respect of



other criminal cases. Merely because the petitioner is having criminal antecedents, is not a ground to reject the bail petition.

9. It is further submitted that the petitioner is the earning member of the family and he has to take care of the parents. He will abide the conditions imposed by this Court, in the event of his release on bail. Making such submission, he prayed to allow the petition.

10. *Per contra*, the learned Additional State Public Prosecutor for the respondent/State vehemently submitted that there are seven cases pending against the present petitioner. He is having criminal antecedents. If the petitioner is enlarged on bail, it gives wrong message to the society. Therefore, the present petition has to be rejected. Making such submissions, she prays to reject the petition.

11. Heard the learned counsel for the respective parties and perused the averments of the complaint. It



appears that the alleged assault had taken place on 29.10.2025 around at 9.15 p.m. Consequently, the complainant had sustained injuries. However, on going through the wound certificate, it appears that the injuries simple in nature. Having considered the wound certificate of the complainant, it is appropriate to grant bail. Hence, I proceed to pass the following:

ORDER

- i) The petition is ***allowed***.
- ii) The petitioner is ordered to be enlarged on bail in Crime No.225/2025 filed by the respondent/police for offences punishable under Sections 109(1), 137(2), 115(2), 352 read with Section 190 of IPC on executing personal bond for a sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the Trial Court.
- iii) The petitioner shall not commit any similar or any other criminal cases till



disposal in rest of the cases pending against him.

iv) The petitioner shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.

v) The petitioner shall appear before the Trial Court on all hearing dates without fail.

vi) The petitioner shall not involve in any criminal cases till disposal of the case.

In case, if the petitioner violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE