



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. 775 OF 2026 (439(Cr.PC) /
483(BNSS))

BETWEEN:

1. SRI MOHAN @ P MOHAN
S/O. LATE SUBRAMANI
AGED ABOUT 31 YEARS
R/AT No. ADORNO BHAVANA
BESIDE SACRED HEART ROAD
T.C. PALYA, K.R. PURAM
BENGALURU - 560 036.

...PETITIONER

(BY SRI. MANOJ H C, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
K.R. PURAM POLICE STATION
BENGALURU
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDINGS
BENGALURU - 560 001.

...RESPONDENT

(BY SRI M R PATIL, HCGP)





THIS CRL.P IS FILED UNDER SECTION 439 Cr.PC (FILED UNDER SECTION 483 BNSS) PRAYING TO ENLARGE HIM ON BAIL IN S.C. No. 594/2025 ON THE FILE OF LEARNED IV ADDL. CITY CIVIL AND SESSIONS JUDGE MAYO HALL UNIT, AT BENGALURU (CCH-21), ARISING OUT OF CR.No.900/2024 OF K.R.PURAM POLICE STATION, FOR THE OFFENCES PUNISHABLE UNDER SECTION 103 OF BNS 2023.

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 the sole accused under Section 483 of BNSS praying to grant bail in S.C.No.594/2025 pending on the file of IV Additional City Civil and Sessions Judge, Mayo Hall Unit, Bengaluru (CCH-21) arising out of Crime No.900/2024 of K.R.Puram Police Station registered for offence punishable under Section 103 of BNS.

2. Heard learned counsel for the petitioner and learned High Court Government Pleader for the respondent –State.



3. Learned counsel for the petitioner would contend that earlier this Court has rejected the bail petition. The changed circumstance is that C.W.1 to C.W.3 have been examined as P.W.1 to P.W.3 and they have not supported the case of the prosecution. C.W.1 who has been examined as P.W.1 has stated that she has not filed complaint. C.W.2 -P.W.2-wife of the deceased and mother of the petitioner has also not supported the case of prosecution. C.W.3 -P.W.3 has not stated that he has last seen the petitioner and the deceased together. He placing reliance on the decision rendered by this Court has contended that in case based on circumstantial evidence, the petitioner is entitled for grant of bail. With this, he prays to allow the petition.

4. *Per contra*, learned High Court Government Pleader for the respondent -State would contend that earlier this Court has rejected bail petition of this petitioner narrating all circumstances against the



petitioner. Merely because only three witnesses have been examined and they are not supporting the case of prosecution is not a ground to grant bail. The prosecution has to examine the other witnesses namely panch witnesses, witness who has submitted FSL report and Investigating Officer etc., With this he prays to reject the petition.

5. Having heard learned counsels, this Court has perused charge sheet and other materials placed on record.

6. This Court while rejecting bail petition of this petitioner by order dated 13.10.02025 passed in Crl.P.No.5180/2025 has observed as under:

"6. Column 17 of the charge sheet indicates that petitioner -accused is a son of deceased - Subramani through his first wife. The deceased had also second wife (C.W.4). The deceased has a daughter by name Lavanya through his second wife. The deceased was insisting the petitioner -



accused to transfer his house property in the name of said Lavanya and the petitioner -accused was refusing for the same. In that regard there were quarrels among the deceased and accused. That on 29.10.2024 at about 08.00 p.m. when deceased was sleeping in the house after a quarrel between the accused and deceased with regard to transfer of property of the petitioner-accused in the name of Lavanya, at that time petitioner -accused has slit the neck of the deceased with knife and also assaulted with hammer on his head several times and caused his death. There are no eye witnesses to the incident and the case of the prosecution is based on circumstantial evidences. It is not in dispute that the deceased, petitioner -accused and grandmother were residing together in the house in which the incident has taken place. There is no explanation of the petitioner -accused regarding the cause of death of the deceased who is his father. There is a recovery of knife and hammer which were found on the spot under spot mahazar and they were also sent for chemical analysis to FSL. There is also recovery of three cloths of the petitioner -accused at his instance under mahazar and they were also sent for chemical analysis to FSL. FSL report indicates that hammer, knife and



three clothes of the petitioner -accused were found blood stains and the blood group is 'O' group. The clothes of the deceased which were also subject to chemical examination are also found to be stained with 'O' group blood. Considering all these aspects, there is a prima facie case against the petitioner - accused for the offence alleged against him. If the petitioner is granted bail, there is a threat to the complainant and prosecution witnesses."

Even though the case of the prosecution is based on circumstantial evidence, what are the circumstances that have to be established have been considered while rejecting the bail petition of the petitioner. Now, bail has been sought on the ground that C.W.1 to C.W.3 have been examined as P.W.1 to P.W.3 and they have not supported the case of the prosecution. There are other witnesses who have to be examined by the prosecution, namely mahazar witnesses, witness who has submitted FSL report and investigating officers. Merely because only three witnesses have been examined and they have not supported the case of prosecution is not ground for grant



of bail. The petitioner has not made out any ground for grant of bail.

7. In the result, the petition is ***dismissed.***

Since, the petitioner is in judicial custody, the trial Court is directed to dispose the case as early as possible.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

DSP
List No.: 1 Sl No.: 54
Ct.sm