



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 859 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

MALATHI
W/O SATHISH,
AGED ABOUT 50 YEARS,
R/AT SIDDAPURA ROAD,
ASHOKPURA, MADIKERI,
KODAGU DISTRICT-571 201.

...PETITIONER

(BY SRI. LETHIF B.,ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY MADIKERI TOWN POLICE STATION,
KODAGU DISTRICT,
REP BY SPP,
HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT

(BY SMT. ANITHA GIRISH N.,HCGP)

Digitally
signed by
PAVITHRA
N

Location:
High Court
of
Karnataka



THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO RELEASE HER ON BAIL IN CRIME NO. 127/2025 OF MADIKERI TOWN POLICE STATION, FOR THE OFFENCE PUNISHABLE UNDER SECTION 310(2), 127(2), 118(1) R/W 3(5) OF BNS PENDING ON THE FILE OF SENIOR CIVIL JUDGE AND CJM COURT, MADIKERI, KODAGU DISTRICT.

THIS CRL.P, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

The petitioner is arrayed as accused No.5 before this Court seeking regular bail in Crime No.127/2025 filed by the respondent/police for the offences under Sections 310(2), 127(2), 118(1) read with Section 3(5) of BNS pending on the file of the learned Senior Civil Judge and CJM Court, Madikeri, Kodagu District.

2. The case of the prosecution is that a complaint was filed by one Sri Mahadeva H.P., stating that he is working in an automobile workshop and residing along



with his family. The complainant states that he came in contact with one Rachana through Facebook, and they were exchanging their respective photographs with each other. It is further alleged that, the said Rachana (arrayed as accused No.1) called him over the mobile phone and asked him to come near Rajarajeshwari Dental College and requested financial assistance of Rs.5,000/-. As per the averments made in the complaint, the complainant paid a sum of Rs.5,000/- on two different occasions.

3. It is further alleged that on 28.11.2025, when the complainant demanded the amount to be repaid, accused No.1 has invited him to Madikeri on the pretext of keeping the extra marital affair. Believing her representation, the complainant went to Madikeri on 12.12.2025 and met her. Accused No.1 is stated to have taken him to her house. In the meantime, accused No.2 and the petitioner allegedly came to the said house and introduced themselves as the mother and brother of accused No.1. Thereafter, accused No.2 sent the petitioner



and accused No.1 outside the house and subsequently committed the offence. Hence, the complaint.

4. Based on the complaint, the respondent/police have registered the case and conducted the investigation and the investigation is under progress.

5. The submission of the learned counsel for the petitioner is that the petitioner, who is arrayed as accused No.5, is a woman aged about 50 years. There are no specific allegations of assault made against her in the complaint. It is submitted that she has been falsely implicated in the case and is innocent of the alleged offences. Hence, she may be enlarged on bail and she will abide by the conditions to be imposed by this Court in the event of her release on bail. Making such submission, he prays to allow the petition.

6. Per contra, the learned High Court Government Pleader for the respondent/Police vehemently submitted that the petitioner, being the mother of accused No.1, in



fact had conspired with the other accused persons and instigated the other accused to commit the offence. It is further submitted that she actively participated in extorting money from the complainant. Therefore, it is submitted that no leniency ought to be shown to the petitioner and she is not entitled to be enlarged on bail. Making such submission, she prays to reject the petition.

7. Having heard the learned counsel for the respective parties and on perusal of the averments made in the complaint, it appears from the record that the petitioner is the mother of accused No.1. The allegation against her is that she accompanied accused No.2 to the house where accused No.1 and the complainant were stayed. Thereafter, it is stated that accused No.2 asked her to step out of the house, and accordingly, she along with accused No.1 came out of the house.

8. Having considered the overt act attributed to the petitioner and the nature and gravity of the offence alleged against her, it is appropriate to enlarge the



petitioner on bail by imposing suitable conditions that would take care of the apprehension of the prosecution. 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.127/2025 filed by the respondent/police for the offences under Sections 310(2), 127(2), 118(1) read with Section 3(5) of BNS pending on the file of the learned Senior Civil Judge and CJM Court, Madikeri, Kodagu District on executing personal bond in a sum of Rs.1,00,000/- with one surety for the likesum to the satisfaction of the Trial Court.

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

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



v) The petitioner shall not indulge in any criminal cases till disposal of the case.

In case, 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

BKM
List No.: 1 Sl No.: 13