



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO. 211 OF 2026

BETWEEN:

SRUJAN GOWDA
S/O. ASHWATHAPPA M.N,
AGED ABOUT 21 YEARS,
OCC: STUDENT,
R/AT MALLENAHALLI VILLAGE,
CHENNARAYAPATNA HOBLI,
DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT - 562 110.

...APPELLANT

(BY SRI. S G RAJENDRA REDDY., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY CHENNARAYAPATANA P S.,
REPTD. BY S.P.P.,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.
2. SRINIVAS MURTHY,
S/O. CHIKKADOLAPPA,
AGED ABOUT 52 YEARS,
R/O. #108, NEW TOWN SCHOOL BEHIND,
CHIKKABALLAPUR,
BENGALURU - 562 101.

...RESPONDENTS

(BY SRI. M. DIWAKAR MADDUR, HCGP FOR R1:
VIDE ORDER DATED 27.02.2026 NOTICE TO R2 H/S)





THIS CRL.A. IS FILED U/S.14(A) (2) OF SC/ST (POA) ACT, 2015 PRAYING TO SET ASIDE THE ORDER DATED 31.01.2026 PASSED BY THE II ADDL DISTRICT AND SESSIONS JUDGE AND SPECIAL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU IN CRL.MISC.NO.139/2026 AND ETC.,

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

The appellant has preferred this appeal against the order passed by the II Additional District and Sessions Judge and Special Judge, Bengaluru Rural District, Bengaluru (for brevity, 'the Trial Court') in Crl.Misc.No.139/2026.

2. The brief facts leading to this appeal is that on the basis of the complaint filed by the Srinivasa Murthy, the Channarayapatana Police have registered the case in Crime No.2/2026 against the accused for the alleged commission of offences punishable under Section 329(3) of BNS and Section 3(1)(f) and 3(1)(g) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989.

3. The application was filed under Section 482 of BNSS for grant of anticipatory bail and same came to be rejected by



the Trial Court. Being aggrieved by the said order, the appellant has preferred this appeal.

4. It is submitted by the learned counsel for the appellant that the Co-ordinate Bench vide judgment dated 07.10.1998, has allowed the RSA No.1058/1995 filed by the grandfather of the accused. At the stage, there are no sufficient *prima facie* materials to constitute the penal provisions of SC/ST (POA) Act, 1989. The rest of the offences are not punishable with death or imprisonment for life.

5. Considering the nature and gravity of the offence and the antecedents of the appellant, I proceed to pass the following:

ORDER

- i. The appeal is ***allowed***.
- ii. The order passed by the II Additional District and Sessions Judge and Special Judge at Bengaluru Rural District, Bengaluru in Crl.Misc.No.139/2026 dated 31.01.2026 is set aside.
- iii. Consequently, the application filed under Section 482 of BNSS is ***allowed***.



iv. The appellant shall be released on bail on executing a self bond of Rs.50,000/- with one surety for likesum to the satisfaction of the Investigation Officer, in the event of his arrest in Crime No.2/2026 of Channarayapatana Police Station.

v. The appellant shall not tamper the prosecution witnesses in any manner.

vi. The appellant shall assist Investigation Officer for his investigation.

vii. The appellant shall not indulge similar offences.

Sd/-
(G BASAVARAJA)
JUDGE