



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. 2023 OF 2026

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

BETWEEN:

SRI. SURYA

S/O.SWAMY D,

AGED ABOUT 20 YEARS,

W/AT. SURYA GLASS AND PLYWOOD SHOP,

EJIPURA, KORMANGALA,

BENGALURU-560 034.

R/O. GRAMADEVATHA BEEDI,

GOLDEN NEST APARTMENT,

2ND CROSS, ADUGODI,

BANGALORE-560 030.

PERMANENTLY RESIDING AT YEREHALLI,

BHOVI COLONY VILLAGE,

SUNNADAHALLI POST,

Digitally
signed by
PAVITHRA
N



Location:
High Court
of
Karnataka



BHADRAVATHI-577 245.

...PETITIONER

(BY SRI. K. RAMA SINGH, ADVOCATE)

AND:

STATE OF KARNATAKA
BY BHADRAVATHI RURAL POLICE STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT COMPLEX,
BENGALURU - 560 001.

...RESPONDENT

(BY SMT. ANITHA GIRISH, HCGP)

THIS CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME
NO.194/2025 AND IN S.C. NO.5001/2026, FOR THE ALLEGED
OFFENCES PUNISHABLE UNDER SECTIONS 87, 78(1), 103(1),
238 OF BNS-2023, PENDING BEFORE IV ADDL. DISTRICT AND
SESSIONS JUDGE, SHIVAMOGGA (SITTING AT BHADRAVATHI).

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. The petitioner, who is arraigned as accused No.1, is before this Court seeking regular bail in S.C.No.5001/2026 pending on the file of the learned IV Additional District and Sessions Judge, Shivamogga (Sitting at Bhadravathi), arising out of Crime No.194/2025 registered by the respondent-police for the offences punishable under Sections 78(1), 87, 103(1), 238 of the Bharatiya Nyaya Sanhita, 2023.

Brief facts of the case:

2. The case of the prosecution is that the daughter of the complainant, namely Mahalakshmi @ Swathi, was studying in the Second Year Degree at Sahyadri Arts and Commerce College. The petitioner herein insisted that he loved her. The complainant and her husband learnt that the petitioner was giving trouble to their daughter. They had advised the petitioner and his father that they should not trouble their daughter. Despite it, the petitioner had not mended his ways. In August 2025, the daughter of the complainant, being frustrated by the constant



harassment, attempted to commit suicide by drowning in the right bank canal of the Bhadra River.

3. It is further submitted that, on 21.09.2015, the said Mahalakshmi @ Swathi was found missing from the house of the complainant. Hence, the complainant asked the father of the petitioner about the disappearance of her daughter. At that time, the father of the petitioner had scolded the complainant in filthy language. On 23.09.2025, around 05.30 p.m., the villagers, on seeing the dead body of deceased Mahalakshmi @ Swathi, informed the complainant.
4. The Complainant, on receiving the said information, went to the spot and, on seeing the dead body of her daughter, lodged a complaint alleging that her daughter had been killed by the petitioner by pushing her into the right bank canal of the Bhadra River. Based on the said complaint, the respondent police have registered a case, conducted the investigation and submitted the charge sheet.
5. Heard Sri K. Rama Singh, learned counsel for the petitioner and Smt. Anitha Girish, learned High Court Government Pleader for the respondent – State.



6. The submission of the learned counsel for the petitioner is that the entire case is based on circumstantial evidence. Though it appears that there are eyewitnesses who depose that the accused No.1 was taking the deceased on his motorcycle, that itself would not be sufficient to hold that he had committed murder of the deceased. In fact, the complainant herself had disclosed in the complaint that the victim had attempted to commit suicide by jumping into the canal. The petitioner is innocent of the alleged offences, and he has been falsely implicated in the case. The petitioner is the resident of Golden Nest Apartment, Adugodi, Bengaluru – 560030 and a permanent resident of Yerehalli, Bhovi Colony Village, Sunnadahalli post, Badravathi. He will abide by the conditions imposed by this Court in the event of his release on bail. Making such submissions, learned counsel for the petitioner prays to allow the petition.
7. *Per contra*, learned High Court Government Pleader for the respondent – State vehemently submitted that the petitioner used to harass the deceased, stating that he was loving her and intended to marry her. The deceased,



being a student, was not interested in proceeding with him, and she refused to go on with him. It is further submitted that on 21.09.2025, the petitioner, in order to commit murder of the deceased, had purchased ant-powder/poison and 7 UP cool drinks from the provision store of CW10 and took the victim along with him on his motorcycle and induced the victim to commit suicide by consuming the said poison/ant powder laced 7 UP cool drinks bottle. Believing his version, the deceased consumed 7 UP cool drinks, which was mixed with ant-powder/poison, and thereafter, she became unconscious. At that time, the petitioner had pushed her into the canal; consequently, she died, and her body was found near the right bank of the Bhadra River near Ranganathapura Village. Some eyewitnesses have stated about the last seen theory. Hence, it is not appropriate to grant bail. Making such submissions, the learned High Court Government Pleader prays to reject the petition.

8. Having heard the learned counsel for the respective parties and perused the averments of the complaint, it appears from the record that the petitioner was insisting



that the deceased should love him. When she refused to accept his proposal, it is alleged that the petitioner had induced the deceased and taken her on his motorcycle on the pretext of committing suicide.

9. It is further alleged that the petitioner had administered the said poison by convincing her that he would also commit suicide after she had consumed it. It is alleged that after she consumed poison, she became unconscious, and then the petitioner pushed her into the canal.
10. Be that as it may, the entire case is based on circumstantial evidence. Except for the last seen theory, there is no other evidence to show that the petitioner had acted as per the averments of the charge sheet. Hence, without expressing any opinion on the merit of the case, it is appropriate to grant bail by imposing suitable conditions.
11. Accordingly, I proceed to pass the following:-

ORDER

- (i) The Criminal Petition is ***allowed***.



- (ii) The petitioner is ordered to be enlarged on bail in S.C.No.5001/2026 pending on the file of the learned IV Additional District and Sessions Judge, Shivamogga (Sitting at Bhadravathi), arising out of Crime No.194/2025 registered by the respondent-police for the offences stated *supra*, on executing personal bond in a sum of Rs.1,00,000/- (Rupees One Lakh only) 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.



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

Sd/-
(S RACHAIAH)
JUDGE

BSS
List No.: 1 Sl No.: 25