



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CRIMINAL PETITION NO.4578 OF 2026

BETWEEN:

1. KENDAGANNASWAMY,
S/O, SWAMY,
AGED ABOUT 35 YEARS
2. RANJITHA,
W/O KENDAGANNASWAMY,
AGED ABOUT 29 YEARS
3. SWAMY,
S/O LATE HONNAPPA,
AGED ABOUT 52 YEARS
4. MAHADEVAMMA,
W/O MAHADEVAGOWDA,
AGED ABOUT 50 YEARS

ALL ARE RESIDING AT:
KALLIPURA VILLAGE,
GUNDLUPETE TALUK,
CHAMARAJANAGARA-571111.

...PETITIONERS

(BY SRI. SAMPATH KUMAR A.V, ADVOCATE)





AND:

THE STATE OF KARNATAKA,
REP. BY CHAMARAJANAGARA WOMEN
POLICE STATION,
CHAMARAJANAGARA DISTRICT,
REP. BY ITS
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001

...RESPONDENT

(BY SRI. CHANNAPPA ERAPPA, HCGP)

THIS CRIMINAL PETITION IS FILED U/S 438 OF CR.PC (FILED U/S 482 BNNS) PRAYING TO ALLOW THIS PETITION AND ENLARGE THE PETITIONERS ON ANTICIPATORY BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.71/2025 PENDING ON THE FILE OF THE HONBLE PRL.CIVIL JUDGE (SR.DN) AND CJM CHAMARAJANAGARA FOR THE OFFENCES P/U/S 118(1), 115(2) OF BNS AND 75 OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT 2015 BY THE CHAMARAJANAGARA WOMEN POLICE.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA



ORAL ORDER

1. Heard Sri. Sampath Kumar A.V., learned counsel for the petitioners and Sri. Channappa Erappa, learned High Court Government Pleader for the respondent-State.

2. Petitioners have filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, with the following prayers:

"WHEREFORE the petitioners in the above petition most humbly prays that this Hon'ble court may be pleased to allow this petition and enlarge the petitioners on anticipatory bail in the event of his arrest in Crime. No. 71/2025 pending on the file of Hon'ble principal civil judge (Sr Dn) and CJM, Chamarajanagar for the offenses punishable U/S 118(1), 115(2) of BNS and 75 of Juvenile justice (care and protection of children) act 2015, by Chamarajanagara women Police in the interest of justice and equity."

3. The facts of the case are as under:

3.1 Sri. L. Siddaraju, has filed a complaint with Chamarajanagara Women Police Station, contending that



between the period of 15.09.2025 and 02.10.2025, petitioners herein have ill-treated physically and mentally and caused burn injuries to the minor girl Yashika and minor boy Rajath in their house by physically assaulting and also causing further injuries with the heated knife.

3.2 Police after registering the case for the offences punishable under Sections 118(1), 115(2) of BNS and 75 of Juvenile justice (care and protection of children) Act 2015, investigated the matter and filed the charge sheet.

3.3 During the course of investigation, petitioners were summoned by the Investigation Agency and later on they were enquired and their statements were recorded and charge sheet was filed. In the charge sheet, there is no mention as to the requirement of arrest of the petitioners.

3.4 Further, there is not even a mention that whether the petitioners are let on bail by the police or the jurisdictional Court.



3.5 Taking note of these aspects of the matter, petitioners approached the District Court for grant of bail after the learned Trial Magistrate took cognizance of the aforesaid offences.

3.6 However, learned Sessions Judge rejected the anticipatory bail request. Thereafter petitioners are before this Court.

4. Learned counsel for the petitioners reiterating the grounds urged in the petition would contend that the second accused got married for the second time after the first marriage failed and she is now living with first accused.

5. Accused Nos.3 and 4 are the grandparents and the children which were born in the first marriage are the alleged victims in each case and a false case has been foisted against the petitioners and thus sought for grant of anticipatory bail.



6. Per contra, learned High Court Government Pleader opposes the grant of bail.

7. Having heard the arguments of both sides, this Court perused the material on record meticulously.

8. On such perusal of the material on record, petitioners have been summoned by the Investigation Agency during the course of investigation and they have cooperated with the investigation by furnishing their statements before the Investigation Officer.

9. Taking note of these aspects of the matter, the Investigation Agency has also filed charge sheet.

10. However, with regard to the allegations are concerned, since the petitioners have cooperated with the Investigation Agency and it is to be established during the course of trial, if the petitioners are directed to appear before the Trial Magistrate and face the trial, in accordance with law, ends of justice would be met.



11. Accordingly, following Order:

ORDER

Criminal Petition is allowed. Petitioners are granted anticipatory bail in Crime No.71/2025 of Chamarajanagara Women Police Station, Chamarajanagara for the offences punishable under Sections 118(1), 115(2) of BNS and 75 of Juvenile justice (care and protection of children) Act 2015, with following conditions:

- (i) Petitioners are directed to join the trial by appearing before the Trial Magistrate on the next date of hearing positively and execute the bond in a sum of **Rs.50,000/-** with **one surety** each, for the like sum to the satisfaction of the Trial Court.
- (ii) Petitioners shall attend the Court regularly.
- (iii) Petitioners shall not tamper the prosecution witnesses in any manner.



(iv) Petitioners shall not leave Chamarajanagar
District without prior permission.

Violation of any one of the condition would entitle
to the prosecution to seek for cancellation of bail.

Sd/-
(V SRISHANANDA)
JUDGE

SNC
List No.: 1 Sl No.: 45