



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 9TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 5973 OF 2026

BETWEEN:

SIDDIQ AHAMAD
S/O MUKTHAR AHMED
AGED ABOUT 43 YEARS
RESIDING AT HEMAVATHI EXTENSION
HOLENARASIPURA TOWN
HOLENARASIPURA TALUK
HASSAN DISTRICT - 573 211.

...PETITIONER

(BY SRI KRISHNA B.J, ADV.)

AND:

STATE BY HOLENARASIPURA TOWN POLICE
HOLENARASIPURA TOWN
HOLENARASIPURA TALUK
HASSAN DISTRICT - 573 211

REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNNS)
THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS) PRAYING
TO GRANT ANTICIPATORY BAIL TO PETITIONER / ACCUSED NO. 2 IN
CRIME NO. 23/2026 FOR THE OFFENCE PUNISHABLE UNDER
SECTION 61 (2), 64, 74, 308(2) R/W SECTION 3(5) OF B N S OF
2023 WHICH IS PENDING ON THE FILE OF HONBLE PRL. CIVIL
JUDGE AND J M F C AT HOLENARASIPURA, HASSAN DISTRICT,
CRIME REGISTERED BY THE HOLENARASIURA TOWN POLICE.

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





CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.2 in Crime No.23/2026 registered by Holenarasipura Town Police Station, Hassan District for the offence punishable under Sections 61(2), 64 74 & 308(2) r/w Section 3(5) of BNS, 2023 is before this Court in this petition filed under Section 482 of BNS, 2023 seeking anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and learned HCGP on behalf of respondent - State.

3. FIR in Crime No.23/2026 was registered by Holenarasipura Town Police Station, Hassan District for the aforesaid offences against Smt. Nagalaksmi and others on the basis of first information dated 16.02.2026 received from the alleged victim. In the said FIR, petitioner is arraigned as accused no.2. Apprehending arrest in the said case, the petitioner had filed petition before the jurisdictional Sessions Court in Crl.Misc.No.178/2026, which was heard and rejected on 10.03.2026. Therefore, he is before this Court.



4. A reading of the first information submitted by the alleged victim on 16.02.2026 would reveal that her marriage was performed with one Shamanth and from the said wedlock they have a boy child. Since she had some marital dispute, her mother-in-law had taken her to the office of accused no.1 Smt. Nagalakshmi, who is said to be a practicing advocate at Holenarasipura. The petitioner is said to be the husband of Smt. Nagalakshmi and on 13.02.2026, the first informant's husband suspected that in his absence somebody had visited his house and therefore had question his wife and thereafter had taken her along with him to the office of accused no.1.

5. The petitioner and his wife Smt. Nagalakshmi - accused no.1 allegedly enquired the first informant as to who had visited her house when her husband was not present in the house and ultimately the first informant had revealed that one Mahadeva had visited her house in the absence of her husband. Since the said Mahadeva was due to pay some money to accused nos.1 and 2 they allegedly asked the first informant to file a false case against Mahadeva, alleging that he had raped her in her house and accordingly had taken her to the police



station. In the said police station, first informant had stated that she was brought forcibly by accused nos.1 and 2 for the purpose of filing a false complaint against Mahadeva alleging that he had raped her in her house. It is under these circumstances, FIR in Crime No.23 of 2026 was registered for the aforesaid offences by Holanathapura Town Police station against Smt. Nagalakshmi, petitioner herein and others.

6. Even if the allegations found in the first information are presumed to be true, the offences punishable under Sections 64 and 74 of BNS 2023 do not get attracted against the petitioner. Accused nos.1 and 3, who were arrested in the present case, have been granted regular bail by the Jurisdictional Sessions Court. The petitioner has no other criminal antecedent and he has undertaken to cooperate with the police for the purpose of investigation. Considering the nature of allegations found as against the petitioner herein, who has no other criminal history, I am of the opinion, the prayer made by the petitioner for grant of anticipatory bail needs to be allowed subject to appropriate conditions.

7. Accordingly, the following:



ORDER

The Criminal Petition is ***allowed.***

The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.23/2026 registered by Holenarasipura Town Police Station, Hassan District for the offence punishable under Sections 61(2), 64 74 & 308(2) r/w Section 3(5) of BNS, 2023 subject to the following conditions:

1. The petitioner shall appear before the Investigating Officer in the present case within a period of fifteen days from the date of receipt of certified copy of this order on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for the likesum to the satisfaction of the investigating officer/jurisdictional Court.

2. The petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

3. The petitioner shall not tamper with the prosecution witness and he shall co-operate with the Police for investigation and appear before them whenever called upon.



4. The petitioner shall not involve in similar offences in future.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

NMS
List No.: 1 SI No.: 54