



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CRIMINAL REVISION PETITION No.761 OF 2018
(397(Cr.PC) / 438(BNSS))

BETWEEN:

T. N. SIDDALINGAIAH
S/O. NEELAKANTAIAH,
AGED ABOUT 58 YEARS,
OCC: DRIVER,
R/O. DODDALADAMARA,
TAVAREKERE HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU DISTRICT-562 130.

...PETITIONER

(BY SRI N.M.BHAT, ADVOCATE)

AND:

THE STATE OF KARNATAKA BY
TAVAREKERE POLICE STATION,
RAMANAGARA DISTRICT-562 130,

(REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BENGALURU-560 001.)

...RESPONDENT

(BY SRI K.NAGESHWARAPPA, HIGH COURT GOVERNMENT
PLEADER)

THIS CRIMINAL REVISION PETITION IS FILED UNDER
SECTION 397 R/W 401 CODE OF CRIMINAL PROCEDURE
PRAYING TO SET ASIDE THE JUDGMENT AND ORDER OF
CONVICTION AND SENTENCE DATED 22.01.2018 PASSED BY
THE II ADDITIONAL CIVIL JUDGE AND J.M.F.C., MAGADI IN

Digitally
signed by R
MANJUNATHA
Location:
HIGH COURT
OF
KARNATAKA



C.C.NO.423/2013 CONFIRMED BY THE JUDGMENT AND ORDER DATED 13.06.2018 PASSED BY THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAMANAGARA IN CRL.A.NO.07/2018 (CONVICTED FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 279 AND 304(A) OF IPC) AND ACQUIT THE PETITIONER OF THE CHARGE LEVELED AGAINST HIM.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri Umesh, learned counsel for the revision petitioner and Sri K.Nageshwarappa, learned High Court Government Pleader.

2. Memo with copy of the demand draft in a sum of Rs.3,00,000/- is filed by the learned counsel for the revision petitioner.

3. Revision petition is filed against the order of conviction dated 22.01.2018 passed in C.C No.423/2013 by the II Addl. Civil Judge and JMFC, Magadi, confirmed in Criminal Appeal No.7/2018 dated 13.06.2018 on the file of the I Additional District and Sessions Judge, Ramanagara.

4. Revision petitioner/accused has been convicted for the offence punishable under Sections 279 and 304A of the Indian



Penal Code by the learned Trial Magistrate confirmed by the First Appellate Court.

5. It is an unfortunate incident wherein the driver of a school bus ran the bus over the child, after the child got down from the bus.

6. The victim child when alighted the bus, without taking necessary precaution, the bus was moved by the revision petitioner resulting in the death of the young child.

7. The parents of the child are present before the Court. They are ready to accept sum of Rs.3,00,000/- as compensation to set-aside the imprisonment of the accused. They accept the demand draft in a sum of Rs.3,00,000/- as compensation from the revision petitioner, *in lieu* of the imprisonment that has been ordered by the learned Trial Magistrate confirmed by the First Appellate Court.

8. Taking note of peculiar facts and circumstances of the case, entire negligence cannot be attributed to the revision petitioner alone, in view of the fact that, the child unnoticingly



crossed from the hind side of the bus, while the bus was being taken reverse and the bus has run over the child.

9. Therefore, by exercising the powers vested in the revisional jurisdiction, while maintaining the conviction, sentence of imprisonment needs to be set aside in the present peculiar facts and circumstances of the case.

10. Hence, the following:

ORDER

(i) Revision petition is ***allowed in part.***

(ii) While maintaining the conviction of the revision petitioner/accused for the offence under Sections 279 and 304A of the Indian Penal Code, sentence ordered by the learned Trial Magistrate confirmed by the First Appellate Court is hereby set aside by imposing the additional enhanced fine amount in a sum of Rs.3,00,000/- which is to be paid as compensation by the revision petitioner/accused to the mother of the victim child.



**NC: 2026:KHC:16437
CRL.RP No. 761 of 2018**

(iii) Office is directed to return Trial Court
Records with copy of this order, forthwith.

**Sd/-
(V SRISHANANDA)
JUDGE**

kcm
List No.: 1 Sl No.: 63