



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 24<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE M.G.S. KAMAL**

**CRIMINAL APPEAL NO. 1914 OF 2023**

**BETWEEN:**

1. SRI. VELU @ SAIKO  
S/O SHANMUGA @ SHIVARAM  
AGED ABOUT 27 YEARS,  
R/AT KESHAVA BUILDING,  
BUDHA NAGARA,  
NEAR GANESH TEMPLE,  
ATTIBELE HOBLI, ANEKAL TALUK  
BANGALORE RURAL DISTRICT - 562 106.
2. SRI. BALAKRISHNA  
S/O LATE ADINARAYANA  
AGED ABOUT 31 YEARS,  
R/AT C/O VIJAYKUMAR  
KALLABALU VILLAGE,  
JIGANI HOBLI, ANEKAL TALUK  
BANGALORE RURAL DISTRICT - 562 106  
  
PRESENTLY R/AT  
PEDDA VELLGUTUR VILLAGE,  
NEAR PUNGANURU,  
CHITTOR DISTRICT,  
ANDHRA PRADESH - 517 001.

...APPELLANTS

(BY SRI. RAKSHITH R, ADVOCATE AND  
MISS. LIKITHA M, ADVOCATE)

Digitally  
signed by  
SUMA B N  
Location:  
HIGH  
COURT OF  
KARNATAKA



**AND:**

STATE OF KARNATAKA  
BY ANEKAL POLICE STATION,  
BANGALORE RURAL DISTRICT,  
REPTD. BY SPP,  
HIGH COURT BUILDINGS,  
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. VINAY MAHADEVAIAH, HCGP)

THIS CRL.A IS FILED U/S 374(2) OF CR.PC PRAYING TO SET ASIDE THE JUDGEMENT DATED 16.06.2023 IN S.C.NO.5066/2020 BY THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT SIT AT ANEKAL, CONVICTING THE APPELLANT / ACCUSED NO.1 AND 2, FOR THE OFFENCE U/S 332, 353 R/W 34 OF IPC.THE ACCUSED NO.1 AND 2 ARE CONVICTED FOR THE OFFENCE P/U/S 332, 353 R/W 34 OF IPC.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

**ORAL JUDGMENT**

Learned counsel for the appellants submits that by the impugned judgment of conviction and order of sentence, the accused/appellants No.1 and 2 are sentenced to undergo Rigorous Imprisonment for a period



of two years and fine amount of Rs.10,000/- each for the offences punishable under Sections 332 of the Indian Penal Code, 1860 (IPC for short) and in default to pay the fine amount they were directed to undergo simple imprisonment for period of six months. Accused/appellants No.1 and 2 were also directed to undergo rigorous imprisonment for a period of one year and payment of Rs.10,000/- each for the offences punishable under Section 353 of IPC and in default of payment of the fine, were directed to undergo simple imprisonment for a period of six months.

2. Learned counsel for the appellants submits that accused were taken into custody and they are being in judicial custody from the date of arrest. They were arrested under body warrant. She further submits that accused have undergone the sentence of rigorous imprisonment for a period of two years and one year respectively and what remains is only payment of fine which they are ready and willing to pay. Hence, she



submits that accused persons be permitted to deposit the fine amount and order of release to be passed.

3. Learned counsel for the appellants/accused persons have undergone the imprisonment and if they are directed to deposit the amount, nothing remains further.

4. Learned HCGP does not dispute the aforesaid aspect of the matter.

5. In that view of the matter the following:

**ORDER**

- (i) The appeal is disposed of directing the appellants herein to deposit Rs.10,000/- each for the offences punishable under Section 332 of the IPC and further a sum of Rs.10,000/- each for the offences punishable under Section 353 of IPC before this Court during the course of this week.



- (ii) On such deposit they shall be released if they are not required for any other offence or case.
- (iii) The bail bond and the surety, if any, are cancelled and discharged.

**Sd/-**  
**(M.G.S. KAMAL)**  
**JUDGE**

BVK  
List No.: 1 Sl No.: 1  
CT: BHK