



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 14172 OF 2025
[(439(Cr.PC) / 483(BNSS))]

C/W

CRIMINAL PETITION NO. 1417 OF 2026

IN CRL.P No. 14172/2025

BETWEEN:

KENCHE GOWDA V.
S/O VEERABHADRAPPA,
AGED ABOUT 27 YEARS,
R/AT NO.1, 1ST FLOOR, 4TH CROSS,
DHARMASHEKARA BUILDING,
RAMAJI LAYOUT, THIRAPANAHALLI,
HEBBAGODI,
BENGALURU - 560 099.

PERMANENT ADDRESS:
R/O CHOWLURU VILLAGE,
CHALLEKERE,
CHITRADURGA,
KARNATAKA - 577 522.

...PETITIONER

(BY SRI. RAKSHITH R., ADVOCATE)

AND:

STATE OF KARNATAKA
BY PARAPANNA AGRAHARA P.SO.





NC: 2026:KHC:11107
CRL.P No. 14172 of 2025
C/W CRL.P No. 1417 of 2026

REP BY SPP,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. M.R. PATIL, HCGP)

THIS CRL.P IS FILED UNDER SECTION 439 (FILED UNDER SECTION 483 BNSS) CR.P.C PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME NO.195/2025 OF PARAPANNA AGRAHARA POLICE STATION PENDING ON THE FILE OF THE IX ADDITIONAL CHIEF JUDICIAL MAGISTRATE, BENGALURU IN C.C.NO.35777/2025 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 308(2), 70(1) READ WITH SECTION 3(5), 127(2), 329(4), 61(2)(a) AND 77 OF BNS AND SECTION 66(E) OF IT ACT.

IN CRL.P NO. 1417/2026

BETWEEN:

SHASHI KUMAR
S/O LT.PUTTASWAMY,
AGED ABOUT 23 YEARS,
R/A H.NO.6, 2ND FLOOR, NANJAREDDYLAYOUT,
VABHASANDRA, JIGANI, ANEKAL,
BENGALURU - 572 114.

PERMANENT RESIDENT OF CHOWLURU VILLAGE, CHALLEKERE,
CHITRADURGA,
BENGALURU - 577 522.

...PETITIONER

(BY SRI. RAKSHITH R., ADVOCATE)



NC: 2026:KHC:11107
CRL.P No. 14172 of 2025
C/W CRL.P No. 1417 of 2026

AND:

1. STATE OF KARNATAKA
BY PARAPANNA AGRAHARA P.S.
REP. BY SPP,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. M.R. PATIL, HC GP)

THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED UNDER SECTION 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME NO.195/2025 OF PARAPANNA AGRAHARA POLICE STATION, PENDING ON THE FILE OF LIII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, SPECIAL JUDGE AT BANGALORE IN S.C.NO.1554/2025 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 308(2), 70(1) READ WITH 3(5), 127(2), 329(4), 61(2)(a) AND 77 OF BNS AND SECTION 66(E) OF IT ACT.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

Criminal Petition No.14172/2025 is filed by accused No.3 and Criminal Petition No.1417/2026 is filed by accused No.2. Both the petitions are filed under Section 483 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying



to grant bail in Crime No.195/2025 of Parappana Agrahara Police Station, pending in S.C.No.1554/2025 on the file of LIII Additional City Civil and Sessions Judge, Special Judge at Bengaluru, registered for offences punishable under Sections 308(2), 70(1) read with Section 3(5), 127(2), 329(4), 61(2)(a) and 77 of Bharatiya Nyaya Sanhita, 2023 and Section 66(E) of Information Technology Act.

2. Heard learned counsel for petitioners and learned High Court Government Pleader for respondent - State.

3. Learned counsel for petitioners would contend that, the victim is a sex worker and her statements are recorded by the Police and also under Section 183 of BNSS. There are contradictions in the statement of the victim lady. The victim lady has been examined by the doctor and it is noted that there are no signs of use of any force. The statement of C.W.2 recorded under Section 183 of BNSS does not indicate any sexual assault by the



accused persons on the victim lady. The petitioner/accused Nos.2 and 3 have not received any money which alleged to have been transferred by the victim lady. All the robbed articles have been seized at the instance of accused No.1. The money transferred by the victim lady is to the account of one Manju. As the charge sheet is filed, the petitioners are not required for custodial interrogation. With these, he prayed to allow the petition.

4. Per contra, learned High Court Government Pleader for respondent would contend that, the statement of the victim lady recorded under Section 183 of BNSS itself indicates the act of these petitioners committing forcible sexual intercourse on her one after the other and also taking away the articles kept in that house. The charge sheet materials show *prima-facie* case against the petitioners for offences alleged against them. With these, he prayed for dismissal of the petition.



5. Having heard the learned counsels appearing for parties, the Court has perused the charge sheet and other materials placed on record.

6. On perusal of the charge sheet, the allegation against accused Nos.1 to 3 is sexual assault by them on the victim lady. The doctor who examined the victim lady has opined that there are no signs of use of force. The victim lady is stated to be a sex worker. The statement of victim lady has been recorded under Section 183 of BNSS. There are some contradictions in the statement of victim lady recorded by the Police and also recorded under Section 183 of BNSS. The statement of C.W.2 who was with the victim lady in that house has also been recorded under Section 183 of BNSS and he has not stated any sexual assault by three persons who entered the house. The robbed articles have been seized at the instance of accused No.1. As the charge sheet is filed, the petitioners are not required for further custodial interrogation. There are no criminal antecedents of the petitioners.



7. Considering all the above aspects, the petitioners have made out a case for grant of bail with conditions. In the result, the following;

ORDER

Both Criminal Petitions are ***allowed***. The petitioners/accused Nos.2 and 3 are granted bail in Crime No.195/2025 of Parappana Agrahara Police Station, pending in S.C.No.1554/2025 on the file of LIII Additional City Civil and Sessions Judge, Special Judge at Bengaluru, subject to following conditions:

- i) *The petitioners/accused Nos.2 and 3 shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) each with one surety for the like-sum to the satisfaction of the Jurisdictional Court.*
- ii) *The petitioners/accused Nos.2 and 3 shall not tamper the prosecution witnesses either directly or indirectly.*
- iii) *The petitioners/accused Nos.2 and 3 shall appear before the trial Court on all dates of*



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*hearing unless exempted by the Court and
cooperate for speedy disposal of the case.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 38