



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 14769 OF 2025

(439(Cr.PC) / 483(BNSS))

BETWEEN:

1. SRI PREETHAM
S/O SATISH
AGED ABOUT 18 YEARS,
RESIDING AT NO.112,
POOJAPPA LAYOUT,
CHELIKERE,
KALYANA NAGARA-POST,
BENGALURU-560 043.

...PETITIONER

(BY SRI. B M LOKESH.,ADVOCATE)

AND:

1. STATE BY HENNUR POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT

(BY SRI. M R PATIL, HCGP)

THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED
U/S 483 BNNS) PETITIONER TO GRANT THE REGULAR BAIL TO
THIS PETITIONER AND RELEASE PETITIONER IN





CR.NO.191/2025, REGISTER BY THE RESPONDENT, HENNURU P.S. BENGALURU CITY, PUNISHABLE UNDER SECTIONS 70(1), 137(2), 115(2), 308(2), 351(2), 238 R/W 3(5) OF BNS 2023, NOW IN CC.NO.62355/2025 ON THE FILE OF XI ADDITIONAL CHIEF JUDICIAL MAGISTRATE, BENGALURU CITY.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by accused No.1 under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant bail in Crime No.191/2025 of Hennur Police Station registered for the offences punishable under Sections 70(1), 137(2), 115(2), 308(2), 351(2), 238 read with Section 3(5) of Bharatiya Nyay Sanhita, 2023.

2. Heard the learned counsel for petitioner and learned High Court Government Pleader for respondent/State.

3. The learned counsel for petitioner would contend that the alleged incident has taken place on 2nd and 3rd, April, 2025 and FIR has been registered on



09.05.2025, and there is a delay in filing the complaint. The petitioner has filed a complaint on 08.05.2025 and it came to be registered in Crime No.190/2025 against the brother of the victim girl, and accused No.3 for assaulting the petitioner and accused No.2, and as a counter, the present complaint has been filed by the victim. The victim girl in her statement recorded under Section 183 of BNSS has stated that the petitioner is a neighbour and friend of the victim girl. In the medical examination report, there is no mention of any external injuries on the victim girl. The petitioner and accused No.2 have sustained serious injuries as the accused No.3 and brother of the victim girl have assaulted them. As the charge sheet is filed, the petitioner is not required for custodial interrogation. With this, he prays to allow the petition.

4. Per contra, the learned High Court Government Pleader for respondent/State would contend that the victim girl has specifically stated the acts of this petitioner and accused No.2, taking her in a car to the house of



accused No.2, making her to drink alcohol forcible and committing sexual intercourse forcibly one after the other. The medical examination report indicates that the hymen of the victim is absent, and sexual assault cannot be ruled out. The petitioner in the guise of uploading the alleged act of sexual intercourse by him recorded in the mobile phone has extorted money from the victim girl. The charge sheet materials show a prima case against the petitioner for the offences alleged against him. With this, he prayed to reject the petition.

5. Having heard the learned counsel, the Court has perused the charge sheet and other materials placed on the record.

6. This Court while considering the bail petition of accused No.2 in the order dated 12.02.2026 passed in Crl. P No.16745/2025 has observed as under:

"6. As per chargesheet, accused Nos. 1 and 2 were having contact with the victim girl. On



02.04.2025 accused Nos. 1 and 2 took the victim girl to the house of this petitioner accused No. 2 and made her to consume alcohol forcibly. Thereafter accused Nos. 1 and 2 have forcibly committed sexual intercourse, one after the other, on the victim girl. Accused No. 1 has recorded the video of accused No. 2 sexually assaulting the victim girl. Accused No. 1, by threatening the victim girl that he will upload the video in social media, had extracted money from her.

7. Statement of the victim girl has been recorded under Section 183 of BNSS. The victim girl has specifically stated the acts of this petitioner and accused No. 1 taking her to the house of accused No. 2 in the car, making her to forcibly consume alcohol, committing forcible sexual intercourse on her one after the other and accused No. 1 recording the act of accused No. 2 committing sexual assault in mobile. The Doctor who examined the victim girl has stated that sexual assault cannot be ruled out. Chargesheet material show prima facie case against the petitioner for offence alleged against him. The offence alleged against the petitioner and other accused is a heinous offence i.e. gang rape. Considering the above aspects, if the petitioner is granted bail there is threat to the victim girl and other prosecution witnesses."



7. The petitioner and the accused No.2 took the victim girl to the house of accused No.2, and made her to consume alcohol forcibly, and thereafter, they had forcible sexual intercourse one after the other on the victim girl. The petitioner is stating that the said act of sexual intercourse has been recorded in the mobile phone, and threatening that he will upload the video in social media, and had extorted money from the victim girl. The prosecution has collected the materials to show that the victim girl has sent money to the petitioner between 17.04.2025 till 03.05.2025 through UPI payment. The charge sheet materials show a prima facie case against the petitioner for the offence alleged against him. The offence alleged against the petitioner and accused No.2 is a heinous offence i.e. gang rape. Merely because there is a delay in filing the complaint is not a ground for grant of bail.

8. Considering the above aspects, the petitioner has not made out any grounds for grant of bail.



In the result, the petition is dismissed.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

BKM
List No.: 1 Sl No.: 33