



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION No. 16440 OF 2025 (439(Cr.PC) /
483(BNSS))

BETWEEN:

1. SHARATH C
S/O CHANDRAPPA
AGED ABOUT 26 YEARS
R/AT C/O MURULI BUILDING
NEAR ROYAL PUBLIC SCHOOL
IN FRONT OF MUNESHWARA TEMPLE
KAMMASANDRA VILLAGE, ATTIBELE
HOBLI ANEKAL TALUK
BENGALURU RURAL DISTRICT
KARNATAKA-562 107.

...PETITIONER

(BY SRI. MOHAMMED PASHA C, ADVOCATE)

AND:

1. STATE BY HEBBAGODI P.S.
REP BY S P P
HIGH COURT BUILDING
BANGALORE - 01.

...RESPONDENT

(BY SRI MOHD. AYUB ALI, ADDL. SPP)

THIS CRL.P IS FILED UNDER SECTION 439 (FILED UNDER SECTION 483 BNSS) Cr.P.C PRAYING TO ALLOW THIS BAIL APPLICATION AND ENLARGE HIM ON BAIL IN VIDE C.C.No.5764/2025 ARISING OUT OF CR.No.208/2025 REGISTERED BY THE HEBBAGODI POLICE STATION FOR THE





OFFENCE PUNISHABLE UNDER SECTIONS 103(1),238 OF BNS 2023.

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 the sole accused under Section 483 of BNSS praying to grant bail in Crime No.208/2025 of Hebbagodi Police Station registered for offences punishable under Sections 103(1) and 238 of BNS.

2. Heard learned counsel for the petitioner and learned Additional SPP for the respondent –State.

3. Learned counsel for the petitioner would contend that earlier UDR has been registered on the complaint of sister of the deceased. The alleged date of incident is 12.04.2025 and C.W.1 has filed complaint on 24.04.2025. C.W.1 is stated to be eyewitness, but there is delay in filing the complaint. The deceased himself made a phone call to C.W.9 and informed that he sustained



injuries due to fall. Even in the Police intimation, there is mention that the deceased had fallen and sustained injuries and that has been informed by the patient attended i.e., C,W,9. No Test Identification Parade is conducted. There is no motive for the petitioner to kill the deceased. A knife was said to have been seized at the instance of this petitioner has not been sent to doctor to get his opinion whether it can cause injuries noted in the post mortem report. There are no criminal antecedents of the petitioner. As the charge sheet is filed, the petitioner is not required for further custodial interrogation. With this, he prays to allow the petition.

4. *Per contra*, learned Additional SPP for the respondent –State would contend that in the post mortem report, ten injuries are noted. Out of them, 6 and 7 injuries are injury to abdomen and they have been stitched. C.W.1 who is eyewitness to the incident was under panic and therefore, she did not lodge complaint immediately and same has been mentioned in her



complaint. The charge sheet materials show prima facie case against the petitioner for offences alleged against him. With this, he prays to reject the petition.

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

6. As per charge sheet, the case of the prosecution is that on 12.04.2025 when the deceased and C.W.1 were walking by the side of tank this petitioner came from front side and suddenly stabbed the deceased with a knife, due to which the deceased fell down and he was taken to hospital and he died. C.W.1 even though stated to be eyewitness has not filed complaint immediately. The complaint has been filed by the sister of the deceased, which was registered in UDR No.32/2025. C.W.1 has filed complaint on 24.04.2025. The delay in filing the complaint is stated to be that she was under shock and therefore, she did not file complaint immediately. C.W.1 is stated to be colleague of the



deceased. The incident has taken place at 10.30 p.m. on 12.04.2025. As per the case of the prosecution, the petitioner and the deceased were not known to each other and there was no any motive for the petitioner to kill the deceased. The weapon seized i.e., knife has not been sent to the doctor for opinion whether it can cause injury found on the dead body of the deceased noted in post mortem report. The petitioner is in judicial custody since 26.04.2025 and as the charge sheet is filed, he is not required for further custodial interrogation. There are no criminal antecedents of the petitioner. The petitioner is undertaken to abide by any conditions to be imposed by this Court. Considering the above aspects, the petitioner has made out case for grant of bail with conditions.

7. In the result, the following

ORDER

i) The petition is ***allowed.***



ii) The petitioner is granted bail in Crime No.208/2025 of Hebbagodi Police Station subject to following conditions:

- a) The petitioner shall execute a bail bond for a sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of jurisdictional Court.
- b) The petitioner shall not tamper the prosecution witnesses either directly or indirectly.
- c) The petitioner shall attend the trial court on all dates hearing unless exempted and co-operate for speedy disposal of the case.

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

DSP
List No.: 2 Sl No.: 14
Ct.sm