



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. 17250 OF 2025
[(439(Cr.PC) / 483(BNSS))]

BETWEEN:

SHIVARAJKUMAR B.C. @
SHIVARAJU
AGED ABOUT 40 YEARS,
S/O. LATE CHANDREGOWDA B.S.,
R/A K.BEVINAHALLI,
DABBEGHATTA HOBLI, TURUVEKERE TALUK,
TUMKUR DISTRICT.

...PETITIONER

(BY SRI. RAKSHITH R., ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY TURUVEKERE 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
U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON
BAIL IN CRIME NO.94/2025 OF TURUVEKERE POLICE STATION,
PENDING ON THE FILE OF V ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TUMAKURU (SITTING AT TIPTUR) IN





S.C.NO.10034/2025 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 103 AND 238 OF BNS, ACT.

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 sole accused under Section 483 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying to grant bail in Crime No.94/2025 of Turuvekere Police Station, pending in S.C.No.10034/2025 on the file of V Additional District and Sessions Judge, Tumakuru, sitting at Tiptur, registered for offences punishable under Sections 103 and 238 of Bharatiya Nyaya Sanhita, 2023.

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

3. Learned counsel for petitioner would contend that, the entire case of prosecution is based on circumstantial evidence. The petitioner is one of the son of



the deceased and he was residing along with his wife and children at Bengaluru since several years. The other son of the deceased and who is the brother of this petitioner died long ago. The petitioner when went to his village saw that his father was lying there and blood was oozing from his mouth and nose. In that regard, he made a phone call to C.W.1 and informed the same and assuming that this petitioner has caused the injury, a false complaint has been filed against him. Now, three witnesses have been examined. All the witnesses have not supported the case of prosecution. As the case of the prosecution is based on circumstantial evidence, the prosecution has to prove each of the circumstances at trial. With these, he prayed to allow the petition.

4. Per contra, learned High Court Government Pleader for respondent would contend that, the wire used to strangle the deceased has been seized at the instance of this petitioner. The deceased died due to asphyxia as a result of ligature strangulation as per P.M.



report. The charge sheet materials show *prima-facie* case against the petitioner for offences alleged against him. 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. As per charge sheet, the case of the prosecution is that the deceased who is the father of this petitioner had sold the sites and got money and did not give the money to the petitioner and therefore the petitioner held the collar of the deceased and pushed him on the cot and strangled him with four feet wire and caused his death and made a phone call to C.W.1 in order to hide the evidence that his father had fallen and his blood is oozing from mouth and nose. The entire case of the prosecution is based on circumstantial evidence. One of the circumstances is recovery of the said four feet wire. As the case of the prosecution is based on circumstantial



evidence, the prosecution has to prove each of the circumstances at trial. The petitioner is in judicial custody since 29.04.2025 and as the charge sheet is filed, he is not required for further custodial interrogation. There are no criminal antecedents of the petitioner.

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

ORDER

The Criminal Petition is ***allowed***. The petitioner is granted bail in Crime No.94/2025 of Turuvekere Police Station, pending in S.C.No.10034/2025 on the file of V Additional District and Sessions Judge, Tumakuru, sitting at Tiptur, subject to following conditions:

- i) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like-sum to the satisfaction of the trial Court.*



- ii) The petitioner shall not tamper the remaining prosecution witnesses.*
- iii) The petitioner shall appear before the trial Court on all dates of hearing unless exempted by the Court and cooperate for speedy disposal of the case.*

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 39