



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 18TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL APPEAL NO. 100005 OF 2026

(U/S 14 A(2) OF SC AND ST ACT)

BETWEEN:

SHRI SHANKAR S/O MALLAPPA NAIK
AGE. 36 YEARS, OCC. BUSINESS,
R/O. ADAHALLI VILLAGE,
TQ. ATHANI, DIST. BELAGAVI-591248.

...APPELLANT

(BY SRI. MALAKAPPA N. WARAD, ADVOCATE **AND**
SRI. PRAVEEN A. BABANNAVA, ADVOCATE)*

AND:

1. THE STATE OF KARNATAKA,
THROUGH S.P.P.,
THROUGH AIGALI POLICE STATION-591248.
2. RAVI S/O RENUKA KAMBALE
AGE. 33 YEARS, OCC. AGRICULTURE,
R/O. CHAMAKERI VILLAGE,
TQ. ATHANI, DIST. BELAGAVI-591248.
3. RAJU DEVATA KAMBLE
AGE. 43 YEARS, OCC. BUSINESSMAN,
R/O HULAGOBAL,
R/O: HULAGABAL, NOW AT: GASTI PLOT,
ATHANI, DIST: BELAGAVI-591248.



CORRECTED VIDE COURT ORDER DATED 24.02.2026

Sd/-
(VSNJ)



4. SANGEETA RAJU KAMBLE
AGE. 35 YEARS, OCC. HOUSE WIFE,
R/O. HULAGABAL, NOW AT ATHANI,
TQ. ATHANI, DIST. BELAGAVI 591248.

...RESPONDENTS

(BY SRI. JAIRAM SIDDI, HCGP FOR R1;
NOTICE SERVED TO R2 AND R4)

THIS CRIMINAL APPEAL IS FILED UNDER SECTION 14(A)(2) OF SC/ST (POA) ACT, 1989 PRAYING TO ALLOW THE PRESENT BAIL APPEAL AND BE PLEASE TO SET ASIDE THE ORDER DATED 24.12.2025 PASSED BY THE III ADDL SESSIONS JUDGE, EXCLUSIVE SPECIAL COURT, BELAGAVI, WHEREBY THE BAIL APPLICATION WAS REJECTED. PLEASED TO ENLARGE THE APPELLANT ON REGULAR BAIL IN CONNECTION WITH SPL CASE NO. 630/2025 ARISING OUT OF CRIME NO: 106/2025 AIGALI P.S. REGISTERED BY THE FIRST RESPONDENT POLICE FOR THE OFFENCE PUNISHABLE U/SEC 189(2), 191(2), 191(3), 61(2), 109, 115(2), 118(1), 126(2), 352, 351(3), 324 R/W 190 OF BNS-2023 AND U/SEC 3(1)(R), 3(1)(S), 3(2)(VA), AND 3(2)(V) OF SCHEDULED CASTE AND SCHEDULED TRIBE(POA) ACT, PENDING BEFORE THE III ADDL. SESSIONS COURT, EXCLUSIVE SPECIAL COURT BELAGAVI AND ETC.



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

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

Heard Sri Malakappa N.Warad, learned counsel for
appellant and Sri Jairam Siddi, learned High Court Government
Pleader for respondent No.1.

2. Appellant has been arrested and arraigned as
accused No.7. After 40 days of filing the charge sheet in respect
of the Crime No.106/2025 of Aigali Police Station, Belagavi.

3. Material on record would reveal that a complaint
came to be lodged by the second respondent against the accused
No.1 to 6 and it was thoroughly investigated and charge sheet
came to be filed against the accused No. 1 to 6. However after
filing the charge sheet after lapse of 40 days, present appellant
has been arraigned as accused No.7 and he was arrested and
sent to judicial custody.

4. There is no additional charge sheet or supplementary
charge sheet filed in the case. On close reading of the charge



sheet, the Investigation Officer also did not seek liberty to investigate the matter further and file supplementary charge sheet by conducting the further investigation as is contemplated under Section 173A of Cr.P.C.

5. Only on the basis of the fact that accused was also present at the time of incident without there being any supporting material, accused No.7 has been made as an additional accused. Particulars found in the remand application is not sufficient to arraign him as an accused no.7.

6. Be what it may, it is for the concerned Court to take appropriate action in that regard.

7. Fact remains that in the absence of any connecting material which would establish the nexus between the present appellant and the main incident only on the basis of the facts mentioned in the remand application, continuation of the accused in judicial custody is no longer warranted.

8. Objection statement filed by the learned High Court Government Pleader also does not make out any good ground to deny the bail to the appellant.



9. Accordingly, without expressing any further opinion on merits of the matter, following:

ORDER

- i. Appeal is allowed.
- ii. Appellant is directed to be enlarged on bail on executing a bond in a sum of ₹50,000/- with one surety for the likesum to the satisfaction of the learned Special Judge.
- iii. Appellant shall attend the Court regularly.
- iv. Appellant shall not tamper the prosecution witnesses in any manner.
- v. Appellant shall not leave the jurisdiction of the Belagavi District without their permission.

Violation of any one of the conditions would entitle the prosecution to seek for cancellation of bail.

**Sd/-
(V.SRISHANANDA)
JUDGE**

CLK
CT:CMU
LIST NO.: 1 SL NO.: 28