



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 2ND DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL APPEAL NO. 100725 OF 2025

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

C/W

CRIMINAL PETITION NO. 104605 OF 2025

IN CRL.A.NO.100725/2025:

BETWEEN:

RIYAZ S/O HUSENSAB KARNACHI
AGE. 26 YEARS, OCC. PRIVATE WORK,
R/O. KURTAKOTI VILLAGE, TQ.DIST. GADAG-582205.

...APPELLANT

(BY SRI. PRAVEEN HUCHARADDI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
ANNIGERI POLICE STATION, DHARWAD,
REPRESENTED BY LEARNED,
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA, DHARWAD-580011.

2. SHARANAPPA S/O BHIMAPPA MALIGAWAD
AGE. 26 YEARS, OCC. FARMER,
R/O. SHISHUVANAHALLI, TQ. NAVALGUND,
DIST. DHARWAD-581209.

3. SUVARNA W/O BHIMAPPA MALLIGWAD
AGE. 52 YEARS, OCC. HOUSEWIFE,
R/O. SHISHUVANAHALLI. TQ. NAVALAGUND,
DIST. DHARWAD. 581209.

...RESPONDENTS

(BY SRI. PRAVEEN HUCHARADDI, ADVOCATE)

THIS CRIMINAL APPEAL IS FILED UNDER SECTION 14A(2) OF
SC/ST (POA) ACT, 1989 PRAYING TO SET ASIDE THE ORDER DATED
14/11/2025 PASSED IN SPL. SCST NO.40/2025 ON THE FILE OF THE





NC: 2026:KHC-D:1365
CRL.A No. 100725 of 2025
C/W CRL.P No. 104605 of 2025

II ADDL. DISTRICT AND SESSIONS JUDGE DHARWAD AND SPECIAL COURT FOR TRIAL OF THE OFFENCES UNDER THE P.O.C.S.O. ACT AND S.C. AND S.T. (P.O.A) ACT FOR THE ALLEGED OFFENCES PUNISHABLE U/S 103(1) OF B.N.S. AND U/S 3(1)(r)(s), 3(2)(v) OF THE SC AND THE ST (PREVENTION OF ATROCITIES) ACT, 1989 ARISING OUT OF THE ANNIGERI PS CRIME NO. 66/2025 AND ENLARGE THE APPELLANT ON REGULAR BAIL IN SPL. SCST NO.40/2025.

IN CRL.P.NO.104605/2025:
BETWEEN:

SUNIL S/O DODDAHANAMAPPA KARLAWAD
AGE 23 YEARS, OCC. COOLIE WORK
R/O. SHISHIVINAHALLI,
TQ. ANNIGERI DIST DHARWAD 582201.

...PETITIONER

(BY SRI. ANILKUMAR H. BUDARPUR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
R/BY STATE PUBLIC PROSECUTOR SPP OFFICE
HIGH COURT OF KARNATAKA DHARWAD BENCH 580011
THROUGH ANNIGERI POLICE STATION, DHARWAD.
2. SUVARNA S/O BHIMAPPA MALLIGWAD
AGE. 42 YEARS, OCC. FARMER,
R/O. AT SHIVANAHALLI VILLAGE,
TQ. ANNIGERI, DIST. DHARWAD- 581209.

...RESPONDENTS

(BY SRI. JAIRAM SIDDI, HCGP FOR R1;
SRI. SADIQ GOODWALA, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 483 OF BNSS, 2023 PRAYING TO ENLARGE THE PETITIONER/ACCUSED NO.2 ON REGULAR BAIL IN SPL.SC.ST.NO. 40/2025 ARISING OUT OF ANNIGERI P.S. CRIME NO. 66/2025 DATED 02.07.2025 FOR THE OFFENCES P/U/SEC. 103(1) OF BNS, 2023.



THE CRIMINAL APPEAL AND THE CRIMINAL PETITION COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

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

After addressing the arguments for some time, Sri. Praveen Hucharaddi, learned counsel for the appellant has filed a memo seeking withdrawal of the appeal.

Sri. Anilkumar H. Budrapur, learned counsel for the petitioner has also filed a memo seeking withdrawal of the petition.

The memo filed in Criminal Appeal No.100725/2025 reads as under:

"Herein, the advocate for the appellant begs to submits as under:

That, the top noted case the RFSL Report is not yet received by the trial Court. Hence, the petitioner is intending to withdrawn the above appeal with liberty to file fresh appeal after getting reports.

Wherefore, the appeal may please be dismissed as withdrawn with liberty, to file fresh appeal, in the interest of justice."

The memo filed in Criminal Petition No.104605/2025 reads as under:



"Herein, the petitioner begs to submits as under:

That in the above case, the petitioner has filed Criminal Petition and in the above case the provisions of the SC and ST (Prevention of Atrocities) Act is also invoked. Thus, the petition suffers from technical defects.

Hence, the Hon'ble Court be please to permit the petitioner to withdraw the above case with liberty to file fresh on grounds in the interest of justice."

Placing the memos on record, the following:

ORDER

- (i) The appeal in Criminal Appeal No.100725/2025 is ***dismissed*** as withdrawn with liberty as prayed for.
- (ii) The petition in Criminal Petition No.104605/2025 is ***dismissed*** as not maintainable.

Sd/-
(V.SRISHANANDA)
JUDGE