



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 29TH DAY OF JANUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE V.SRISHANANDA
CRIMINAL APPEAL NO. 100779 OF 2025
(U/S 14 A(2) OF SC AND ST ACT-)

BETWEEN:

1. SHRI. SAMBAJI S/O TANAJI KADAKANE
AGE. 30 YEARS, OCC. AGRICULTURE,
R/O. BUDULMUKH, PANGERI (B),
TALUK NIPPANI DISTRICT BELAGAVI 591237.
2. SHRI GURUNATH BABURAO SANDUGADE
AGE. 30 YEARS, OCC. AGRICULTURE,
R/O NO.2469, SANDUGADE GALLI PANGERI (B),
TALUK NIPPANI DISTRICT BELAGAVI 591237.
3. SHRI SHRIRANG A.K.A SONYA RAJARAM PARAKAR
AGE. 21 YEARS, OCC. AGRICULTURE,
R/O SANDUGADE GALLI, PANGERI (B),
TALUK NIPPANI DISTRICT BELAGAVI 591237.
4. SHRI DEEPAK ANAND JADHAV
AGE. 29 YEARS, OCC AGRICULTURE,
R/O. GALATAGA VILLATE NOW AT NEAR BUS STAND
JATRAT VILLAGE, TALUK NIPPANI,
DISTRICT BELAGAVI 591237.

...APPELLANT

(BY SRI. SHARAD M. PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA DHARWAD
THROUGH SHO,
NIPPANI TOWN POLICE STATION BELAGAVI.
2. SHRI ADITYA SON OF SHRI RAJU PARANJAPE
AGE. 22 YEARS, OCC. STUDENT,
R/O. GALATAGA VILLAGE,





NOW AT NEAR BUS STAND JATRAT VILLAGE,
TALUK NIPPANI DIST BELAGAVI-591237.

...RESPONDENTS

(BY SRI. PRAVEENA Y. DEVAREDDIYAVARA, HCGP FOR R1;
SRI. SAFAL HULI, ADVOCATE FOR SRI. SHIVARAJA S. BALLOLI,
ADVOCATE)]

THIS CRIMINAL APPEAL IS FILED UNDER SECTION 14 A(2) OF SC AND ST ACT (POA) ACT 1989, PRAYING TO CALL FOR THE RECORDS AND SET ASIDE THE ORDER PASSED BY THE III ADDL.SESIONS JUDGE BELAGAVI IN CRIMINAL MISC.NO.001347/2025 DATED 21.11.2025 AND TO ENLARGE THE APPELLANTS/ACCUSED NO.1 TO 4 ON BAIL IN NIPPANI TOWN P.S. IN CR.NO.68/2025 FOR THE ALLEGED OFFENCES PUNISHABLE U/S 189(2), 191(2), 191(3), 115(2), 118(1), 352, 351(2) R/W SECTION 190 OF BNS AND ALSO U/S 3(1)(r) (s), SECTION 3(2)(v-a) OF SC AND ST (PREVENTION OF ATROCITIES) AMENDMENT ACT 2015.

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)

1. Heard Sri. Sharad M. Patil, learned counsel for the appellants, Sri. Praveena Y. Devareddiyavara, learned High Court Government Pleader for respondent No.1-State and Sri. Safal Huli, learned counsel appearing on behalf of Sri. Shivaraj S. Balloli, learned counsel for respondent No.2.

2. Present appeal is filed by the accused Nos.1 to 4 in Crime No.68/2025 of Nippani Town Police, which is now pending before the Special Court with the following prayer:



"Wherefore, the appellants most respectfully prays that this Hon'ble Court may be pleased to call for the records and

A. Set aside the order passed by the Hon'ble III Addl. Sessions Judge, Belagavi in Criminal Misc. No.001347/2025 dated 21/11/2025.

B. The Hon'ble Court may kindly be pleased to enlarge the appellants/accused Nos.1 to 4 on bail in Nippani Town PS in Cr. No.68/2025 for the alleged offences punishable U/Sec 189(2), 191(2), 191(3), 115(2), 118(1), 352, 351(2) R/w Sec 190 BNS and also U/Sec 3(1)(r)(s) and 3(2)(v-a) SC and ST Prevention of Atrocities Amendment Act 2025 in the interest of justice."

3. In respect of an incident that occurred on 07.07.2025 at about 01.00 p.m., respondent No. 2 filed a complaint with Nippani Town Police Station, which was registered in Crime No.68/2025 for the following offences:

Sections 189(2), 191(2), 191(3), 115(2), 118(1), 352, 351(2) read with Section 190 of Bhartiya Nyaya Sanhita, 2023 and also Sections 3(1)(r)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



4. Police after registering the case, investigated the matter, *inter-alia* arrested the present appellants on 10.07.2025 and after thorough investigation, filed the charge sheet.

5. The attempt made by the appellants to obtain an order of grant of bail is rejected by the learned Special Judge and thereafter, they are before this Court in this appeal.

6. Learned counsel for the appellants reiterating the grounds urged in the appeal memorandum contended that the injured has been discharged from the hospital with a simple injury. The motive for the incident is teasing of a girl belonging to the community of the respondent No.2 about 17 years earlier. Incident has occurred at the spur of moment and therefore, continuation of the appellants in judicial custody is no longer warranted and sought for allowing the appeal.



7. *Per contra*, learned High Court Government Pleader for respondent No.1-State and learned counsel for respondent No.2 opposed the appeal grounds.

8. Having heard the arguments of both sides, this Court perused the material on record meticulously.

9. On such perusal of the material on record, it is evident that, the respondent No.2 lodged the complaint stating that on 07.07.2025, when himself and his friends had been to the B. T. Patil College and at that juncture, these appellants joined together and assaulted respondent No.2 and his friends and abused them in filthy language, taking out their caste name, so as to degrade them in the public and thus, sought for action.

10. Police after thorough investigation filed charge sheet. Appellants/accused Nos.1 to 4 are in custody since 10.07.2025.

11. Taking note of the injuries sustained by the appellants, the other attendant facts and circumstances, and considering that the charge sheet has already been



filed and the investigation is complete, as well as the injuries sustained by respondent No.2 and others, this Court is of the considered opinion that continuation of the appellants in judicial custody is no longer warranted.

12. Other apprehensions of the prosecution can be met with by imposing suitable and stringent conditions.

13. Accordingly, the following:

ORDER

- (i) Appeal is ***allowed***.
- (ii) Appellants are directed to be enlarged on bail on executing personal bond in a sum of Rs.1,00,000/- each with two sureties each for the like sum to the satisfaction of the learned Special Judge.
- (iii) Appellants shall not tamper the prosecution witnesses in any manner.
- (iv) Appellants shall attend the Court regularly.



(v) Appellants shall not leave the jurisdiction of Ballari District without prior permission.

(vi) Appellants shall not repeat similar offences.

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

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

SMM, CT:CMU
LIST NO.: 2 SL NO.: 3