



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 5TH DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE V.SRISHANANDA
CRIMINAL PETITION NO. 105490 OF 2025
(438(CR.PC)/482(BNSS))

BETWEEN:

SHRI NAGARAJ S/O NARAYAN NAIK
AGE. 55 YEARS, OCC. AGRICULTURE,
R/O. SHGIHALLI, SHELOOR,
TQ SIDDAPUR, DIST UTTARA KANNADA-577429.

...PETITIONER

(BY SRI. T.R. PATIL, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
BY SIDDAPUR P.S
R/BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA,
BENCH DHARWAD-580011.

...RESPONDENT

(BY SRI. P.N. HATTI, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF BNSS, PRAYING TO DIRECT THE INVESTIGATING OFFICER IN CHARGE OF THE SIDDAPUR POLICE STATION CRIME NO.186/2025 REGISTERED AGAINST THIS PETITIONER/ACCUSED NO.1 FOR THE OFFENCES PUNISHABLE UNDER SECTION 105 AND 238 R/W SECTION 3 (5) OF BNSS-2023 TO RELEASE THIS PETITIONER ON ANTICIPATORY BAIL, IN THE EVENT OF HIS ARREST, IN THE SAID CRIME, PENDING ON THE FILE OF PRL. CIVIL JUDGE AND JMFC COURT SIRSI, UTTARA KANNADA, IN THE INTEREST OF JUSTICE.

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





ORAL ORDER

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

1. Heard Sri. T. R. Patil, learned counsel for the petitioner and Sri. P. N. Hatti, learned High Court Government Pleader for respondent-State.

2. Present petition is filed under 482 of Bharatiya Nyaya Suraksha Sanhita, 2023 with the following prayer:

"Wherefore, the petitioner/accused No.1 prays that this Hon'ble Court be pleased to direct the Investigating Officer in charge of the Siddapur Police Station Crime No.186/2025 registered against this petitioner/Accused No.1 for the offences punishable under Section 105 and 238 R/w. Section 3(5) of BNSS-2023 to release this petitioner on anticipatory bail, in the event of his arrest, in the said crime pending on the file of Civil Judge and JMFC Court, Siddapur, in the interest of justice."

3. Facts in nutshell which are utmost necessary for disposal of the case are as under:

3.1. Sri. Vishnu S/o. Bangarya Achari, lodged a complaint with Siddapura Police Station stating that his father was found dead in a river and on information when



he went and saw, he came to know that he was electrocuted at the first instance and in order to make it appear that it was a case of suicide, the body of his father has been thrown in the river.

4. Based on the complaint, police registered the case in Crime No.186/2025 for the offences punishable under Sections 105 and 238 read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023. Police are investigating the matter.

5. The present petitioner is shown as accused No.1 in the FIR and he is not available to the Investigation Agency for investigation and therefore, investigation has crippled.

6. Other two accused have been granted regular bail.

7. Attempt made by the petitioner to obtain an order of grant of anticipatory bail is denied by the learned District Judge and thereafter, the petitioner is before this Court.



8. Learned counsel for the petitioner reiterating the grounds urged in the petition vehemently contended that the petitioner is innocent of the offences alleged against him.

9. He would further contend that there is no nexus between the petitioner and the alleged incident and he has been falsely implicated in this case. The petitioner is prepared to join the investigation and co-operate with the Investigation Agency in all respects and therefore, sought for grant of anticipatory bail.

10. *Per contra*, learned High Court Government Pleader for respondent-State opposes the bail grounds by contending that from the date of the complaint, petitioner is absconding, as such, he cannot be termed as a law-abiding citizen.

11. He would further contend that in a matter of this nature especially when there is a specific allegation that the deceased has been first electrocuted and thereafter, thrown



into the flowing river to depict the incident as a suicide or an unnatural death.

12. He would further contend that the petitioner and others have conspired together and thrown the dead body in order to screen the evidence of the offence. Therefore, he sought for rejection of the petition.

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

14. On such perusal of the material on record, it is crystal clear that the dead body was found in the river. However, there was blackening of the portions of the body.

15. It is the suspicion of the complainant that his father has been electrocuted and then after the death has been thrown into the river so as to depict that it is a case of unnatural death or a suicide.

16. Therefore, custodial interrogation of the petitioner is necessary as is rightly contended by the learned High Court Government Pleader.



17. However, the right of the petitioner is also to be balanced harmoniously with the need of the prosecution. Therefore, directing the petitioner to join the investigation and undergo limited period of custodial interrogation would meet the ends of justice.

18. Accordingly, the following:

ORDER

- (i) The petition is ***allowed***.
- (ii) Petitioner is directed to join the investigation by appearing before the Investigation Officer on **17.02.2026** at 10.00 a.m.
- (iii) Petitioner is directed to be taken to custody and proceeded with the custodial interrogation and on the same day before 06.00 p.m., enlarge the petitioner on bail on taking a bond of Rs.1,00,000/- with two sureties for the like sum to the



satisfaction of the Investigation Officer.

- (iv) Petitioner shall co-operate with the Investigation Agency in all respects.
- (v) Petitioner shall not tamper the prosecution witnesses in any manner.
- (vi) Petitioner shall attend the Court regularly.
- (vii) Petitioner shall not leave the jurisdiction of Uttara Kannada District without prior permission.

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

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