



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 9TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 200444 OF 2026

(439(Cr.PC)/483(BNSS))

BETWEEN:

DEVARAJ S/O HULIGEPPA BHOVI
AGE: 23 YEARS, OCC: AGRICULTURE
R/O NEAR GOVERNMENT HOSPITAL
GALAG VILLAGE,DEVADURGA
RAICHUR DIST.

...PETITIONER

(BY SRI. SHARANABASAPPA M PATIL., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH LINGASUGUR POLICE STATION
RAICHUR DIST.
REPRESENTED BY ADDL. SPP
HIGH COURT OF KARNATAKA
KALABURAGI BENCH-585105

2. SMT LAXMI W/O V. VEMANNA
AGE: 38 YEARS, OCC: LABOURER
R/O NEAR MASIDI KAVITAL
NOW AT KASABA LINGASUGUR
TQ: LINGASUGUR, DIST: RAICHUR-584122

...RESPONDENTS

(BY SRI. JAMADAR SHAHABUDDIN, HCGP FOR R1;
R2 SERVED)





THIS CRL.P IS FILED U/S. 439 OF CR.P.C (OLD) U/S 483 OF BNSS (NEW), PRAYING TO ALLOW THE PETITION THERE BY ENLARGE THE PETITION ON BAIL IN CRIME NO.244/2025 REGISTERED BY RESPONDENT POLICE/LINGASUGUR POLICE STATION, DIST: RAICHUR FOR THE OFFENCES PUNISHABLE U/SEC.137(2), 64(2) (m) OF BNS AND UNDER SECTION 4 AND 6 OF POCSO ACT, 2012 AS PENDING ON THE FILE OF III ADDL. DIST AND SESSIONS JUDGE AT RAICHUR SITTING AT SINDHANUR IN SPL.CASE NO.5007/2026.

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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

The petitioner has filed this petition under Section 483 of BNSS, 2023, for grant of bail as the accused is in judicial custody in Special Case No.5007/2026.

2. The service of notice to respondent No.2 was duly served, but she has not filed any objections.

3. I have heard arguments on both sides.

4. On the basis of the complaint filed by the complainant-respondent No.2, respondent No.1-



Lingasugur Police have registered a case in Crime No.244/2025 against unknown person for the offence punishable under Section 137(2) of BNS, 2023.

5. During the course of investigation, the Investigating Officer has arrested this accused and produced before the Magistrate on 20.11.2025 and accused was remanded to judicial custody. The application was filed under Section 483 of BNSS in CrI.Misc.No.5041/2026 before the III-Addl. Dist. & Sessions Judge, Raichur, Sitting at Sindhanur. The same came to be rejected on 28.02.2026. Hence, the petitioner has filed this petition.

6. According to the case of the prosecution the date of incident is 19.09.2025, but complaint was filed on 12.10.2025. That there is a delay of 23 days in filing the complaint and at the time of filing complaint, FIR does not reveal the name of the accused. The age of the victim is more than 17 years.



7. It is submitted by the learned counsel for the petitioner that the prosecution has not produced the birth certificate/SSLC Marks Card/Ossification Test Certificate as required under Section 94 of the Juvenile Justice (Care and Protection of Children) Act, 2015. It is submitted that victim was not a child at the time of alleged incident. While recording the statement under Section 183 of BNSS, 2023, the victim has stated the accused and victim were loving each other. The petitioner-accused is not required for further investigation.

8. Considering the nature and gravity of offences, previous antecedents of the petitioner, age and occupation of the petitioner, and delay in filing the complaint, without expressing any opinion on the merits of the case, I proceed to pass the following:

ORDER

- (1) The petition is **allowed**.



(2) The petitioner/accused is directed to be enlarged on bail in Crime No.244/2025 registered by respondent police-Lingasugur Police Station, Dist. Raichur, on the file of III-Addl. Dist. & Sessions Judge, Raichur sitting at Sindhanur in Spl.Case No.5007/2026, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with one surety for the likesum, to the satisfaction of the III-Addl. Dist. & Sessions Judge, Raichur sitting at Sindhanur in Spl.Case No.5007/2026;
- b) Petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- c) Petitioner shall appear before the jurisdictional Court on all the dates of hearing without fail;
- d) Petitioner shall co-operate for speedy trial;



- e) Petitioner shall not involve in similar offences in future.

Registry is directed to send a copy of this order to the Trial Court.

**Sd/-
(G BASAVARAJA)
JUDGE**

SDU
LIST NO.: 1 SL NO.: 12
CT-BH