



**IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH
DATED THIS THE 17TH DAY OF APRIL, 2026
BEFORE
THE HON'BLE MR. JUSTICE G BASAVARAJA
CRIMINAL APPEAL NO. 200115 OF 2026 (U/S 14 (A))**

BETWEEN:

SHIVU KUMAR KUMBAR
S/O SHARANAPPA
AGE 27 YEARS, OCC PRIVATE EMPLOYEE
R/O GALAG VILLAGE, TALUK DEVADURGA
DIST RAICHUR 584124

...APPELLANT

(BY SRI. MAHANTESH PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY ADDL SPP
HIGH COURT OF KARNATAKA
BENCH AT KALABURAGI
(THROUGH RAICHUR WOMEN PS
DIST RAICHUR 584101)
2. KUMARI MAMATHA D/O RAVI
AGE 24 YEARS, OCC EMPLOYED IN PRIVATE FIRM
R/O H.NO.1-6-49, STATION AREA,
RAICHUR 584101

...RESPONDENTS

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





THIS CRL.A FILED U/SEC. 14(A) (2) OF SC/ST (PA) ACT, BY THE ADVOCATE FOR THE APPELLANT PRAYING TO I) SET ASIDE THE ORDER DATED 13.03.2026 IN CASE CRL.MISC.NO. 95/2026 PASSED BY THE HONOURABLE I ADDL. DIST. AND SESSIONS JUDGE, RAICHUR IN THE INTEREST OF JUSTICE AND EQUITY. II) THE APPELLANT/ ACCUSED NO.1 MAY BE ENLARGED ON REGULAR BAIL IN RESPECT OF CRIME NO. 66/2025 OF RAICHUR WOMEN P.S. FOR THE OFFENCES PUNISHABLE U/SEC. 64(2)(M), 352, 351(2), 115(2) R/W 3(5) OF BNS 2023 AND SEC. 3(1)(R), 3(1)(S), 3(1)(W), 3(2)(V) OF SC AND ST ACT 2015 PENDING ON THE FILE OF HONOURABLE ADDL. DISTRICT AND SESSIONS COURT RAICHUR IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

The appellant-accused No.1 has filed this appeal under Section 14(A)(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST (PoA) Act) against the order passed by the I-Addl. Dist. & Sessions Judge, Raichur in Cril.Misc.No.95/2026 dated 13.03.2026.



2. I have heard the arguments on both sides.
3. Despite service of notice to respondent No.2, she remained absent and unrepresented.
4. I have examined the materials placed before this Court.
5. On the basis of the complaint filed by the victim, the respondent-police have registered a case in Crime No.66/2025 against the accused Nos.1 to 3 for the commission of offences punishable under Sections 64, 115(2), 352, 351(2) read with Section 3(5) of BNS, 2023 and Section 3(1)(r)(s), 3(1)(w)(i), 3(2)(v) of SC/ST (PoA) Act. During the course of investigation, the Investigating Officer has arrested the appellant-accused No.1 on 17.12.2025 and produced before the Court and he was remanded to judicial custody and still he is in judicial custody. The bail application was filed before the I-Addl. Dist. & Sessions Judge, Raichur in CrI.Misc.No.95/2026. The same came to be dismissed on 13.03.2026. Hence, the appellant has preferred this appeal.



6. It is submitted that, now investigation is completed and charge-sheet has also been filed for the offences punishable under Sections 64(2)(m), 115(2), 352, 351(2) r/w 3(5) of BNS, 2023 and Sections 3(1)(r)(s), 3(1)(w)(i), 3(2)(v) of SC/ST (PoA) Act, 1989, hence, the accused is not required for further interrogation, as investigation is already completed. The alleged commission of offences are not punishable with death or imprisonment for life. Considering the nature and gravity of offences, it is just and proper to allow the appeal. Accordingly, I proceed to pass the following:

ORDER

The appeal is ***allowed***.

The impugned order passed by the I-Addl. Dist. & Sessions Judge, Raichur, in CrI.Misc.No.95/2026 dated 13.03.2026 is hereby set aside.

Consequently, the application filed under Section 483 of BNS, 2023, is allowed with following conditions:



- i) The appellant shall execute a personal bond for a sum of Rs.1,00,000/- with one surety for the likesum, to the satisfaction of the jurisdictional Court;
- ii) The appellant shall not threaten or tamper with the prosecution witnesses in any manner;
- iii) The appellant shall appear before the Trial Court on all the dates of hearing without fail.

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

SDU
LIST NO.: 1 SL NO.: 6
CT:BH