



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 7TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.M.NADAF

CRIMINAL PETITION NO. 200623 OF 2026
(438(Cr.PC)/482(BNSS))

BETWEEN:

SHIVAGYANAPPA
S/O DODDABASAPPA HESARUR
AGED ABOUT 23 YEARS
R/AT CHITAPUR VILLAGE TALUK: LINGASUGUR
DISTRICT: RAICHUR PIN 584101

...PETITIONER

(BY SRI SHIVASHANKER, ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY SHO MUDGAL POLICE STATION
LINGASUGUR TALUK
RAICHUR DISTRICT
REP BY ITS STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
KALABURGI 585101

...RESPONDENT

(BY SRI JAMADAR SHAHABUDDIN, HCGP)

THIS CRL.P IS FILED U/S. 482 OF BNSS(NEW) U/S 438 OF CR.P.C (OLD) PRAYING TO ENLARGE THE PETITIONER ON ANTICIPATORY BAIL IN THE EVENT OF HIS ARREST IN CRIME IN FIR NO.3/2026 (IN MUDGAL PS FOR ALLEGED OFFENCES U/S 329(3) , 137(2) R/W 3(5) OF BNS ACT NOW PENDING BEFORE THE ADDL. CIVIL JUDGE (JR.DN) AND JMFC COURT AT LINGASUGUR, IN THE INTEREST OF JUSTICE AND EQUITY.





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

CORAM: HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

Heard Sri.Shivashanker, learned counsel appearing for the petitioner through video conferencing and Sri.Jamadar Shahabuddin, learned High Court Government Pleader for the respondent-State.

2. Learned counsel for the petitioner vehemently submits that, the earlier crime was registered in Crime No.36/2025 of Mudgal Police Station, Raichur district, pending in Special Case No.5045/2025 for the offences punishable under Sections 126(2), 3(5), 351(), 351(3), 352 of BNS, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'the POCSO Act, 2012'). This Court taking into consideration that the petitioner and victim married on 20.02.2026 according to Hindu customs and rituals and the marriage was registered before the Sub-Registrar Office, Lingasugur



on 27.02.2026 and both are now leading happy marital life and living together peacefully, on 12.03.2026 stayed all further proceedings in Spl.C.No.5394/2024. Further, the bail petition earlier filed for the aforesaid offences was allowed and the petitioner was granted bail on certain conditions. Now this petition is filed with respect to the offence under Sections 329(3), 137(2) read with Section 3(5) of BNS, 2023, in Crime No.3/2026 of Mudgal Police Station, Raichur District against the present petitioner for kidnapping the victim forcibly. Further it is submitted that, the petitioner and the victim settled the dispute amicably and leading happy marital life together peacefully. The registration of multiple cases against the petitioner would affect their happy life and the offences are not punishable with death or imprisonment for life, and if the petitioner is arrested, he would be sent to judicial custody. Hence, prays to allow the petition.

3. *Per contra*, learned High Court Government Pleader would submit that case in Crime No.3/2026 was



registered on 06.01.2026 and the marriage has taken place on 20.02.2026. The allegation is that the victim was taken from the lawful custody and would not amount to registration of multiple crimes. Hence, prays to dismiss the petition.

4. Having heard rival submissions, this Court is of the considered view noticing the fact that the petitioner and the victim got married and settled their dispute amicably and leading happy marital life together, considering the same, this Court earlier stayed the further proceedings and granted bail in earlier crime number, therefore, without expressing any opinion on the merits of the case and in view of the peculiar facts and circumstances of the case, the petitioner can be enlarged on anticipatory bail on certain conditions.

5. Accordingly, I proceed to pass the following:



ORDER

The petition is ***allowed***.

The respondent - Police are directed to release the petitioner on bail in the event of his arrest in Crime No.3/2026 registered by Mudgal police station, Raichur district, pending on the file of the Addl. Civil Judge (Jr.Dn.) & JMFC, Lingasugur, subject to the following conditions:

1. The petitioner shall appear before the Investigating Officer within a period of 15 days from the date of receipt of certified copy of this order and shall execute a personal bond for a sum of Rs.25,000/- with one surety for the likesum to the satisfaction of the Investigating Officer;
2. The petitioner shall mark his attendance before the Investigating Officer once in a month preferably 2nd or 4th Sunday between 10:00 a.m. and 2:00 p.m. till filing of charge-sheet;
3. The petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons;



4. The petitioner shall not threaten or tamper with the prosecution witnesses in any manner;
5. The petitioner shall co-operate with the police for investigation and appear before them whenever called for;
6. The petitioner shall not involve in similar offences in future.
7. The petitioner shall not leave the jurisdiction without prior permission.

Sd/-
(T.M.NADAF)
JUDGE

SDU
LIST NO.: 1 SL NO.: 14
Ct;vk