



**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. 200622 OF 2026
(439(Cr.PC)/483(BNSS))**

BETWEEN:

1. KHANAPPA
S/O KASANAPPA CHAVAN,
AGE. 33 YEARS,
OCC. COOLIE,
2. YAMANAPPA
S/O HIRAPPA CHAVAN,
AGE. 33 YEARS,
OCC. LAND SURVEYOR,
3. UMESH
S/O NARAYANA CHAVAN,
AGE. 30 YEARS,
OCC. COOLIE,

BOTH THE PETITIONERS
R/O. JUMALAPUR DODDA TANDA,
TQ. HUNASAGI,
DIST. YADGIRI-585 215.

...PETITIONERS

(BY SRI. LAGALI RAIMOHAN SURESH, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH THE SHO., KODEKAL PS.,





REP. BY THE ADDL. STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
KALABURAGI BENCH-585 103.

...RESPONDENT

(BY SRI. JAMADAR SHAHABUDDIN, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 OF CR.P.C (OLD) U/S 483 OF BNSS (NEW), PRAYING TO ALLOW THIS BAIL PETITION AND THEREBY ORDER THE RELEASE OF THE PETITIONERS ON BAIL IN KODEKAL P.S CRIME NO. 61/2026 PENDING ON THE FILE OF CIVIL JUDGE (JR.DN) AND JMFC COURT SHORAPUR, FOR THE OFFENCE PUNISHABLE U/SEC 189(2), 191(1), 191(2), 115(1), 118(1), 109, 74, 352, 351(2), 190 OF BHARATIYA NYAYA SANHITA 2023 IN THE INTEREST OF JUSTICE.

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

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

ORAL ORDER

Heard Sri. R.S.Lagali, learned counsel appearing for the petitioners and Sri. Shahabuddin Jamadar, learned High Court Government Pleader, for the respondent-State.

2. This petition is filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS, 2023') seeking regular bail for the offences punishable under Sections 189(2), 191(1), 192(2),



115(1), 118(1), 109, 74, 352, 351(2), 190 of the Bharatiya Nyaya Sanhita (for short, 'BNS, 2023').

3. Sri. R.S.Lagali, learned counsel appearing for the petitioners submits that the complainant has filed the present complaint against the petitioners herein for the aforesaid offences alleging that, on the earlier occasion a crime was registered against the petitioners for causing sexual harassment to the sister of the complainant. The petitioners were released on bail in the said crime on certain conditions.

4. Subsequently, the complainant in retaliation filed another i.e. the present complaint making allegations for committing aforesaid offences by taking advantage of condition No.4 stated in the earlier bail order. No severe offences were registered and even the injured were discharged from the hospital. This complaint is result of earlier complaint and the bail order granted in favour of petitioners. If petitioners sent to jail again and again, on successive FIRs amounts to curtailing to their right to



liberty under Article 21 of Constitution of India. Hence, prays to allow the petition.

5. *Per contra*, learned High Court Government Pleader for the respondent-State submits that, the petitioners were admitted on bail by this Court on 06.01.2026 in Crl.P.No.202186/2025 specifically, imposing condition No.4 that petitioner shall not involve in similar offence in future. Despite the said condition, the petitioners immediately after released on bail, have committed the present offence. As such, they are not entitled to any bail. Accordingly, prays to dismiss the petition.

6. Having considered the rival submissions, the allegations made against the petitioners requires trial. It is on record that earlier on the crime registered by the complainant, for causing sexual harassment to his sister, the petitioners were admitted to bail on conditions. The present crime this time has been registered within two months thereafter making allegation of assault on the



father of complainant. The allegations made in the complaint itself indicates that there was prior enmity between the family of the complainant and the petitioner. This Court finds some force in the contentions of learned counsel for the petitioner. However, at this stage, without expressing any opinion on merits of the case, the petitioners are admitted on bail with certain conditions. Accordingly, I proceed to pass the following:

ORDER

The petition is ***allowed***.

The petitioners are directed to be enlarged on bail in Crime No.61/2026 registered by Kodekal Police Station, Yadgir district, for the offences punishable under Sections 189(2), 191(1), 192(2), 115(1), 118(1), 109, 74, 352, 351(2), 190 of BNS, 2023, subject to the following conditions:

- a) The petitioners shall execute personal bond for a sum of Rs.50,000/- each with one surety



each for the likesum, to the satisfaction of the jurisdictional Court;

- b) The petitioners shall regularly appear before the Trial Court on all the dates of hearing unless the Trial Court exempts their appearance for valid reasons;
- c) The petitioners shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioners shall not involve in similar offences in future;
- e) The petitioners shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against them is disposed off.

Sd/-
(T.M.NADAF)
JUDGE

SDU
LIST NO.: 1 SL NO.: 13
Ct;vk