

ITEM NO.1706

COURT NO.9

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SSPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 10080/2025

SOMAPPA & ANR.

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA

Respondent(s)

FOR ADMISSION

IA No. 62517/2025 - EXEMPTION FROM FILING O.T.

IA No. 62521/2025 - EXEMPTION FROM SURRENDERING WITHIN TIME

Date : 21-03-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASANNA B. VARALE
[IN CHAMBER]

For Petitioner(s) :

Mrs. Rajani K Prasad, Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E RIA No. 62521/2025

1. This application has been filed by the applicants/
petitioners seeking exemption from surrendering.

2. Heard the learned counsel appearing for the
petitioners/applicants.

3. The learned counsel submits that the petitioners are
challenging the judgment and order dated 20.12.2024,
passed by the Division Bench of the Karnataka High Court
in Criminal Appeal Nos.200068 and 200072 of 2021, whereby,
the High Court dismissed the appeals by maintaining the
judgment and order of conviction and sentence awarded to

the original accused persons.

4. It is briefly stated that the petitioners/ original accused(s), who are charged for commission of offence under Sections-228A of the Indian Penal Code and Section 23 of the POCSO Act, 2012, both the Courts i.e the Trial Court as also the High Court found that the prosecution, by oral and documentary evidence, were successful in establishing its case against the accused persons.

5 The prosecution examined as many as 11 witnesses, and placed on record as many as 12 documents supporting its case. The learned counsel for the petitioners submits that the petitioners have raised substantial grounds in the challenge to judgment and order dated 20.12.2024 passed by the High Court. It is further submitted that during the pendency of the appeals before the High Court, one of the accused expired, and as such, now the judgment and order is challenged by only two accused persons, namely, the Journalist and the Editor of a fortnightly newspaper which is being published in local language i.e. Kannada.

6. The learned counsel further submits that the applicants were enlarged on bail during pendency of trial and there is nothing on record to show that the petitioners/applicants committed breach of any conditions or misused the liberty granted to them. It is further submitted that there is nothing to show that there are any criminal antecedents against the petitioners.

7. On these grounds, the learned counsel, thus, prays for exemption from surrendering being granted to the petitioners.

8. The application (IA No. 62521/2025) stands allowed accordingly.

9. The petitioners are exempted from surrendering till the first listing before Court.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(PREETI SAXENA)
COURT MASTER (NSH)