



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

CRIMINAL PETITION NO. 7362 OF 2026

BETWEEN:

MRS. JABEEN TAJ,
W/O SYED ANSAR,
AGED ABOUT 44 YEARS,
RESIDING AT NO.17, H CROSS,
NEW GURUPPANAPALYA MADAR SAB LAYOUT,
BANGALORE SOUTH, BANGALORE,
KARNATAKA - 560 029.

...PETITIONER

(BY SRI. AFROZ PASHA, ADVOCATE)

AND:

STATE OF KARNATAKA,
BY SUDDAGUNTEPALYA POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE - 560 001.

...RESPONDENT

(BY SMT.WAHEEDA M.M., HCGP)

THIS CRL.P. IS FILED U/S 438 OF CR.P.C., (FILED U/S 482 BNNS) PRAYING TO GRANT ANTICIPATORY BAIL TO THE PETITIONER AND DIRECT THE RESPONDENT POLICE TO RELEASE THE PETITIONER ON BAIL IN THE EVENT OF HER





ARREST IN CONNECTION WITH THE CR NO.81/2026 OF SUDDAGUNTEPALYA POLICE STATION FOR THE OFFENCE PUNISHABLE UNDER SECTION 85, 64, 137(2), 118(1), 118(2), 351(2), 61(1) OF BHARATIYA NYAYA SANHITA (BNS), 2023 AND SECTION 66E OF THE INFORMATION TECHNOLOGY ACT-2008, SECTION 4 OF DOMESTIC VIOLENCE ACT 2005 AND SECTION 3 OF THE KARNATAKA PROTECTION OF RIGHT TO FREEDOM OF RELIGION ORDINANCE 2022, PENDING BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT AT BANGALORE.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought release on bail in Crime No.81/2026 registered by the respondent for the offences punishable under Sections 85, 64, 137(2), 118(1), 118(2), 351(2) and 61(1) of the Bharatiya Nyaya Sanhita, 2023, Section 66(E) of the Information Technology Act, 2008, Section 4 of the Domestic Violence Act, 2005 and Section 3 of the Karnataka Protection of Right to Freedom of Religion Ordinance, 2022.



2. The complainant informed the respondent on 17.03.2026 that in February, 2025, accused No.1 herein made her consume a drink, after which, she lost consciousness. She alleged that accused No.1 sexually assaulted her without her consent and recorded objectionable and nude videos of the incident. Later, he started blackmailing her of using those recordings, due to which, she was forced to remain silent and helpless. She alleged that taking advantage of the situation, accused No.1 continued his sexual assaults, as a result of which, she became pregnant. She claimed that due to the physical assault, the baby in the womb died causing severe mental and physical trauma. She also alleged that accused No.1 tried to convert her from Hindu religion to Islam and claimed that he would not marry her unless she converted. She claimed that she thereafter changed her religion to Islam on 22.06.2025 and changed her name to 'Zainab'. Thereafter, he started shifting her from various locations and finally deserted her. She claimed that on 23.01.2026, he took her along with two months old baby to Kolkata, where he abandoned both of them and switched off his phone. She thereafter managed to come to Bangalore. She claimed that after news channel



telecast her ordeal, 20 followers of the petitioner told her to contact them and when she met them, they recorded a video where she was forced to mention that she was happy with accused No.1. She also alleged that the group of persons had threatened to kill her, if she disclosed anything to anyone about the marital life with accused No.1. She alleged that the accused No.1 and his associates took away her 2 month old baby. Based on this, the respondent registered a case in Crime No.81/2026 for the aforementioned offences. The petitioner being the mother of accused No.1 moved an application for anticipatory bail, which was rejected in terms of the order dated 06.05.2026 and therefore, the petitioner is before this Court.

3. Learned counsel for the petitioner submitted that petitioner is the mother of accused No.1 and she has no role to play in the alleged offences. He submits that the complainant and the son of the petitioner were married and the same was registered under the Provisions of the Special Marriage Act on 18.06.2025. He thus contends that the petitioner is entitled to be granted anticipatory bail.



4. Learned High Court Government Pleader, on the other hand, submitted that the role of the petitioner is yet to be ascertained and therefore, a custodial interrogation of the petitioner is necessary.

5. I have considered the submissions made by the learned counsel for the petitioner and the learned High Court Government Pleader for the respondent.

6. A perusal of the information furnished by the complainant would go to show that it was a love marriage between the complainant and accused No.1. It is not in dispute that the complainant had married accused No.1 and the same was registered under the Provisions of the Special Marriage Act.

Under the circumstances, the petitioner could not have been denied bail on a specious ground that the offences are grave. The offences alleged against accused No.1 are neither punishable with death nor life imprisonment. Furthermore, the involvement of the petitioner in an offence under Section 64 of BNS, 2023 appears presently to be remote.



7. In that view of the matter, the following:

ORDER

i) The petition is ***allowed***.

ii) The petitioner is granted anticipatory bail and she shall be released in the event of her arrest in Crime No.81/2026 registered by the respondent for the offences punishable under Sections 85, 64, 137(2), 118(1), 118(2), 351(2) and 61(1) of the Bharatiya Nyaya Sanhita, 2023, Section 66(E) of the Information Technology Act, 2008, Section 4 of the Domestic Violence Act, 2005 and Section 3 of the Karnataka Protection of Right to Freedom of Religion Ordinance, 2022, subject to she complying the following conditions:

- a. She shall execute a personal bond for Rs.2,00,000/- with a solvent surety for the likesum and to the satisfaction of the Trial Court.
- b. She shall appear before the Investigating Officer once every week on a Saturday at 11 a.m. until a charge sheet is filed.



- c. She shall not commit any offence similar to the offence of which she is accused or suspected of commission of which she is suspected. She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.
- d. In the event of violation of any of the above conditions, it is open for the Investigating Officer / prosecution to seek cancellation of the bail.

Learned High Court Government Pleader is permitted to file her memo of appearance within 10 days.

Sd/-
(R. NATARAJ)
JUDGE