



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 5TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 5463 OF 2026

BETWEEN:

CHANDRASHEKAR P
S/O PUTTASWAMY
AGED ABOUT 35 YEARS
R/AT NO.403, INDIRA NAGARA
SOLURU TOWN, HOBLI MAGADI TALUK
BENGALURU SOUTH PIN - 562 127
(PETITIONER NAME AND HIS
ADDRESS MENTIONED AS PER
HIS ADHAR CARD, SAME IS PRODUCED
FOR KIND PERUSAL)

...PETITIONER

(BY SRI SHARATH J.M, ADV.)

AND:

STATE OF KARNATAKA
BY KUDURPOLICE STATION
REP BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
HIGH COURT OF KARNATAKA AT
BENGALURU - 560 001.

...RESPONDENT

(BY SMT. RASHMI JADHAV, ASPP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO RELEASE HIM ON BAIL, WHO IS ACCUSED IN
CR.NO.239/2025 (SC.NO.101/2025) REGISTERED BY RESPONDENT
IN KUDUR P.S., FOR THE OFFENCE P/U/S 103 OF BNS, PENDING
BEFORE THE 1st ADDL. DISTRICT AND SESSIONS JUDGE, AT
RAMANAGARA.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY





ORAL ORDER

1. Accused in S.C.No.101/2025 pending before the Court of I Addl. District and Sessions Judge, Ramanagara, Bengaluru South arising out of Crime No.239/2025 registered by Kudur Police Station, Bengaluru South, for the offence punishable under Section 103 of BNS, 2023 is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel appearing for the parties.

3. FIR in Crime No.239/2025 registered by Kudur Police Station, Bengaluru South for aforesaid offence against the petitioner herein, on the basis of first information dated 24.07.2025 received from Sri Puttaswamy, who is the father of petitioner and the deceased Nagaraja. During the course of investigation, the petitioner was arrested and remanded to judicial custody on 24.07.2025. Investigation in the case is complete and charge sheet has been filed against the petitioner for the aforesaid offence.



4. The bail application filed by the petitioner before the jurisdictional Sessions Court in Crl.Misc.No.26/2026 was dismissed on 27.03.2026. Therefore, he is before this Court.

5. Learned counsel appearing for the petitioner submits that incident in question had taken place in a spur of moment. The deceased and the petitioner who are direct brothers had fought against each other after consuming alcohol. The presence of CWs.2 and 3 at the spot becomes doubtful having regard to the averments found in the FIR. The petitioner had no motive against the deceased. He has no other criminal antecedents and he is in custody from 24.07.2025 onwards. Trial in the case is yet to commence. Accordingly, he prays to allow the petition.

6. Per contra, learned Addl. SPP who has opposed the petition submits that CWs.2 and 2 are the eye witnesses to the incident in question. The stone which was used for assaulting the deceased was seized and the same was found to be blood stained. The deceased had suffered 33 injuries in the incident in question and in the event the petitioner is enlarged on bail he



may tamper with the prosecution witnesses. Accordingly, she prays to dismiss the petition.

7. First informant in the present case is the father of the deceased and the petitioner. On 23.07.2025, the petitioner came to house of the deceased. In the first information itself it is stated that whenever the petitioner used to visit the house of the deceased they used to consume alcohol and fight against each other. On 23.07.2025, when the deceased and the petitioner started consuming alcohol in the house of the deceased, wife of the deceased Smt. Rajamma went to her friend's house to sleep. The first informant, who was in the house went to sleep at about 10 p.m,. Thereafter, at about 11.00 p.m, he heard his sons fighting against each other. He allegedly pacified them. However, the petitioner and the deceased continued fighting against each other and when deceased fell on the grund, petitioner allegedly picked up a stone and assaulted with the same on his head. Immediately, the injured was shifted to hospital but he was declared dead. During the course of investigation, petitioner was arrested on



25.07.2025 and remanded to judicial custody. Investigation of the case is completed and charge sheet has been filed.

8. Even in the charge sheet it is only stated that the petitioner and the deceased had fought against each other after consuming alcohol and after the deceased bit petitioner's eyebrow the petitioner who got enraged allegedly assaulted him with stone. Even though CWs2 and CW3, who are neighbours, are cited to be eye witnesses in the present case, a reading of first information would make their presence at the spot of crime doubtful.

9. Undisputedly, the petitioner and the deceased had no ill-will and even earlier, after consuming alcohol they used to fight against each other. The petitioner is a married man, is residing separately with his family members. The petitioner and deceased used to visit each other's house and they used to consume alcohol. The incident in question had taken place on 23.07.2025, after consuming alcohol by petitioner and deceased, who had no ill-will as against each other. The petitioner having no other criminal antecedents is in custody



from 24.07.2025. Investigation of the case is completed and charge sheet has been filed. Trial in the case is yet to commence. The prosecution has in all cited 30 charge sheet witnesses in the present case and therefore chance of case being disposed of in the near future is very remote. Under these circumstances, I am of the opinion that, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively.

10. Accordingly, the following:

ORDER

The petitioner is directed to be enlarged on bail in S.C.No.101/2025 pending before the Court of I Addl. District and Sessions Judge, Ramanagara, Bengaluru South arising out of Crime No.239/2025 registered by Kudur Police Station, Bengaluru South, for the offence punishable under Section 103 of BNS, 2023, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000 (Rupees One Lakh only) with two sureties for the likesum, to the satisfaction of the jurisdictional Court;



b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;

c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioner shall not involve in similar offences in future;

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**