



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 16514 OF 2025

(439(Cr.PC) / 483(BNSS))

BETWEEN:

1. SRI R SHAILESH KUMAR
S/O. P. RAJAGOPAL,
AGED ABOUT 35 YEARS,
R/AT NO.174,
NEAR VAISHNAVI APARTMENT,
AVALAHALLI BDA LAYOUT, 3RD BLOCK,
G.P. NAGAR (J.P. NAGAR),
9TH BLOCK, BENGALURU-560 078.

...PETITIONER

(BY SRI. RENUKARADHYA R D.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY THALAGHATTAPURA POLICE STATION,
REPRESENTED BY STATE PUBLIC
PROSECUTOR, HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT

(BY SRI.M R PATIL, HCGP)



THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO RELEASE HIM ON BAIL IN CRIME NO.369/2025 PENDING ON THE FILE OF THE ACJM, BENGALURU RURAL BENGALURU FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 103(1), 80(2), 3(5) OF BNS 2023 ACT AND SECTIONS 3 AND 4 OF THE DP ACT, REGISTERED BY THE RESPONDENT THALAGHATTAPURA POLICE STATION, BY ALLOWING THIS PETITION.



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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by accused No.1 under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant bail in Crime No.369/2025 of Thalaghattapura Police Station registered for the offences punishable under Section 80(2), read with Section 3(5) of Bharatiya Nyaya Sanhita and Sections 3 and 4 of Dowry Prohibition Act, 1961.

2. Heard the learned counsel for petitioner and the learned High Court Government Pleader for respondent/State.

3. The learned counsel for the petitioner would contend that the petitioner married the deceased on 21.11.2021, and out of the said wedlock, a daughter was born, who is aged about two and a half years. The said



daughter is now residing in the house of petitioner along with his parents. The petitioner has to take care of the said child. The allegation against the petitioner is that he suspected the fidelity of the deceased and harassed her in that regard. There is no allegation against the petitioner of the demand of dowry. The petitioner had taken the deceased to the hospital and intimated the same to the parents of the deceased. Accused Nos.2 to 4 have been granted anticipatory bail by the Sessions Court, even though there are allegations of dowry demand and harassment of the deceased against them. The petitioner is a software engineer working in Bangalore. The charge sheet does not contain the statement of any neighbour of the petitioner. This itself indicates that there was no harassment by the petitioner or the other accused towards the deceased in their house. As the charge sheet is filed, the petitioner is not required for further investigation. There are no criminal antecedents of the petitioner. With this, he prayed to allow the petition.



4. Per contra, the learned High Court Government Pleader would contend that the petitioner and the other accused harassed the deceased by demanding dowry and suspecting her fidelity, and that the deceased, unable to bear such harassment and ill-treatment, committed suicide. The death of the deceased occurred within seven years of her marriage. The charge sheet materials show a *prima facie* case against the petitioner for the offences alleged against him. With this, he prayed to reject the petition.

5. Having heard the learned counsel, the Court has perused the charge materials placed on record.

6. The case of the prosecution, as per the charge sheet, is that the marriage of the petitioner with the deceased took place on 21.11.2021, and at the time of the marriage, gold ornaments were given to the deceased and also to the petitioner, as per their demand. The allegation is that the petitioner, suspecting the fidelity of the



deceased, harassed her physically and mentally, and that the petitioner along with other accused persons demanded dowry and harassed the deceased for silly reasons, as a result of which the deceased, unable to bear such harassment, committed suicide.

7. On perusal of the complaint filed by the father of the deceased, there is an allegation of murder of the deceased. But the charge sheet has not been filed for the offence under Section 103 of BNS, which itself indicates that the deceased committed suicide. On perusal of the averments in the complaint, there is an allegation against the petitioner that he suspected the fidelity of the deceased and used to harass her mentally and physically. There is no allegation against this petitioner demanding dowry. The accused Nos.2 to 4 against whom demand of dowry is alleged have been granted anticipatory bail by the Sessions Court. Now the charge sheet has been filed. Therefore the petitioner is not required for custodial interrogation. The petitioner is in judicial custody since



05.10.2025. There are no criminal antecedents of the petitioner. The petitioner is a software engineer working in Bangalore. The petitioner is having two and a half years daughter and he has to take care of her.

8. Considering the above aspect, the petitioner has made a case for grant of bail with conditions.

As a result, in the following:

ORDER,

i) The petition is allowed.
ii) The petitioner is granted bail in Crime No.369/2025 of Thalaghattapura Police Station registered for the offences punishable under Section 80(2), read with Section 3(5) of Bharatiya Nyaya Sanhita and Sections 3 and 4 of Dowry Prohibition Act, 1961 subject to following conditions.

a) The petitioner shall execute a bail bond for a sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the jurisdictional Court.



- b) The petitioner shall not tamper the prosecution witnesses either directly or indirectly.
- c) The petitioner shall attend the Trial Court on all dates of hearing unless exempted and cooperate for speedy appeal.

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

BKM
List No.: 1 Sl No.: 4