



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**  
**DATED THIS THE 2<sup>ND</sup> DAY OF JUNE, 2026**  
**BEFORE**  
**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**  
**CRIMINAL PETITION NO.649 OF 2026 (439(Cr.PC)/**  
**483(BNSS)**

**BETWEEN:**

1. KANTHARAJU N. @ KANTHA  
S/O NARAYANAPPA,  
AGED ABOUT 28 YEARS,  
R/AT NO.5, KEMPEGOWDA NAGARA,  
SUBMANGALA VILLAGE, ANEKAL TALUK,  
BENGALURU - 562106

...PETITIONER

(BY SRI. MANJUNATH M R., ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
BY ANEKAL P.S.,  
BENGALURU RURAL,  
REP BY STATE PUBLIC PROSECUTOR,  
HIGH COURT BUILDING,  
BENGALURU - 560001.

...RESPONDENT

(BY SRI.RANGASWAMY R., HCGP)

THIS CRL.P FILED U/S 439 CR.P.C (U/S 483 BNSS) BY THE PETITIONER PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.317/2025 REGISTERED BY ANEKAL P.S., BENGALURU RURAL DISTRICT, BENGALURU, FOR THE OFFENCES P/U/S 108 OF BNS, 2023, PENDING BEFORE THE LEARNED CJ AND JMFC COURT, ANEKAL, BENGALURU RURAL DISTRICT, BENGALURU.

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





CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

**ORAL ORDER**

Accused No.1 in Crime No.317/2025 registered by the Anekal Police Station, Bangalore Rural District, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita (BNS), 2023 (hereinafter referred to as 'BNS, 2023' for short) is before this Court in this petition filed under Section 483 of Bharatiya Nagaraik Suraksha Sanhita, 2023 seeking regular bail.

2. Heard Sri.Manjunath M.R., learned counsel appearing for the petitioner and Sri.Rangaswamy R., learned HCGP appearing on behalf of respondent/State.

3. FIR in Crime No.317/2025 was registered by Anekal Police against the petitioner and another based on the first information dated 19.10.2025 received from Lokesh, who is the father of deceased Mohit. During the course of investigation, the petitioner herein was arrested on 04.11.2025 and was remanded to judicial custody. His



bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.5549/2025 was rejected on 21.11.2025. It is under these circumstances, he is before this Court.

4. A reading of the first information dated 19.10.2025 submitted by the father of the deceased would go to show that deceased Mohit had committed suicide by hanging himself to the ceiling fan in his house on the intervening night of 18.10.2025 and 19.10.2025. According to the first informant, the deceased had left behind the death note in which he had mentioned the name of accused Nos.1 and 2. For the purpose of attracting the offence punishable under Section 108 of BNS, 2023, the alleged act committed by the accused should have either aided or instigated the deceased to commit suicide. A reading of first information would go to show that necessary ingredients so as to invoke Section 108 of BNS, 2023, is prima facie not found in the first information. The accused No.2 has been granted regular



bail by this Court in Crl.P.No.2486/2026. The investigation of the case is already completed and charge sheet has been filed.

5. Under the circumstances, I am of the opinion that without expressing any opinion on the merits and demerits of the case, prayer made by the petitioner for grant of regular bail needs to be answered affirmatively subject to certain conditions. Accordingly, the following:

ORDER

The criminal petition is ***allowed***.

The petitioner is ordered to be enlarged on bail in Crime No.317/2025 registered by Anekal Police Station, Bangalore Rural District, for the offence punishable under Sections 108 of BNS, 2023, subject to the following conditions:

- (a) The petitioner shall not threaten or tamper with the prosecution witnesses.
- (b) The petitioner shall appear before the trial court on all hearing dates without fail



unless exempted by the court for valid reasons.

- (c) The petitioner shall execute a personal bond for Rs.50,000/- with one surety to the likesum to the satisfaction of the trial court.

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

DR  
List No.: 1 SI No.: 42