HC-KAR

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL APPEAL NO.100127 OF 2026

(U/S 14 A(2) of SC and ST ACT)

BETWEEN:

LATHIF S/O. SHAIKSHAVALI,
AGED ABOUT 30 YEARS,
R/O. KOTTURESWAR NAGAR,
KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583 223.

...APPELLANT

(BY SRI. S.S. BETURMATH, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH HOSAPETE RURAL P.S.,
R/BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH, DHARWAD-580011.

2. SMT. LAKSHMI W/O. ADINARAYANA,
AGED ABOUT 38 YEARS,
R/O. KOTTURESWAR NAGAR, KARIGANUR,
23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

3. NAGARAJ S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 16 YEARS, OCC. STUDENT,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223,
SINCE MINOR REP. BY HIS NATURAL GUARDIAN.

4. CHARAN S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 17 YEARS, OCC. NOT KNOWN,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223,
SINCE MINOR REP. BY HIS NATURAL GUARDIAN.

CHANDRASHEKAR LAXMAN KARTIMANI
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Location: High Court of Karnataka Dharwad Bench
Date: 2026.06.18 16:57:56 +0530

5. ANJINAPPA S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 53 YEARS, OCC. LABOURER,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

6. NANDU S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 17 YEARS, OCC. STUDENT,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223,
SINCE MINOR REP. BY HIS NATURAL GUARDIAN.

7. JAGAN S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 16 YEARS, OCC. NOT KNOWN,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223,
SINCE MINOR REP. BY HIS NATURAL GUARDIAN.

8. JAGAN S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 15 YEARS, OCC. NOT KNOWN,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223,
SINCE MINOR REP. BY HIS NATURAL GUARDIAN.

9. PRASHANTHA S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 18 YEARS, OCC. STUDENT,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

10. LAXMI D/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 35 YEARS, OCC. LABOURER,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

11. RAMU S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 43 YEARS, OCC. LABOURER,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

12. LAKSHAMAN S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 40 YEARS, OCC. LABOURER,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

13. ANJAKKA S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 35 YEARS, OCC. LABOURER,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

14. RAMANJANI S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 23 YEARS, OCC. LABOURER,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

15. KARTHIK S/O. NOT KNOWN
(NOT MENTIONED IN THE FIR)
AGE. 20 YEARS, OCC. NOT KNOWN,
R/O. KARIGANUR, 23RD WARD, HOSAPETE,
DIST. VIJAYANAGAR DISTRICT-583223.

…RESPONDENTS

(BY SMT. GIRIJA S.HIREMATH, HCGP FOR R1;
NOTICE TO R2 TO R15 ARE SERVED)

THIS CRIMINAL APPEAL IS FILED UNDER SECTION 14 A(2) OF SC/ST (POA) ACT, PRAYING TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 17.02.2026 BY THE LEARNED ADDL. DISTRICT AND SESSIONS JUDGE, VIJAYANAGAR DISTRICT HOSAPETE AND ENLARGE APPELLANT/ACCUSED NO.5 ON ANTICIPATORY BAIL IN CONNECTION WITH HOSAPETE RURAL P.S. CRIME NO.7/2026 REGISTERED FOR THE OFFENCES PUNISHABLE UNDER SECTION 3(1)(W) (I) (II), 3(1)(R)(S) OF SC AND ST (PREVENTION OF ATROCITIES ACT 1989 AND SECTIONS 109(1), 115(2), 191(3), 74, 54, 118(), 351(2), 351(3), 126(2), 191(2), 189(2), 352 R/W SECTION 190 OF BNS, 2023 PENDING ON THE FILE OF ADDL.

DISTRICT AND SESSIONS (SPL) COURT VIJAYANAGAR DISTRICT HOSAPETE AND ETC.,.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL JUDGMENT

Heard the learned counsel for the appellant and the learned High Court Government Pleader for respondent No.1-State.

2. The complainants have been served. There is no representation on behalf of the complainants.

3. The appellant is seeking anticipatory bail in connection with Crime No.07/2026 registered before Hosapete Rural Police Station for the alleged offences under Sections 3(1)(w)(i)(ii), 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989[1] and Sections 109(1), 115(2), 191(3), 74, 54, 118(1), 351(3),

[1] For short, 'the Act of 1989'

126(2), 191(2), 189(2) and 352 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023[2].

4. The learned Additional District and Sessions Judge, Vijayanagara District, Hosapete, has dismissed the bail petition of the appellant on 17.02.2026. Hence, the appellant is before this Court.

5. The appellant is accused No.5 named in the complaint.

6. Learned counsel appearing for the appellant would submit that, Section 18 of the Act of 1989 is not attracted to the appellant as there is no allegation against the appellant for having made any caste based remark against the complainants.

7. It is further urged that, no specific overt acts are alleged against the appellant and a false case has been filed against the appellant.

8. In addition, learned counsel for the appellant also submitted that, there are no criminal antecedents against the

[2] For short, 'BNS, 2023'

appellant and the appellant would abide by the terms and conditions in the event of bail being granted.

9. Learned counsel for the appellant would also submit that, investigation is over and charge sheet is filed, and therefore, custodial interrogation of the appellant is not required.

10. Learned High Court Government Pleader would also submit that, the investigation is over and the charge sheet is filed.

11. As can be noticed from the contents of the complaint, the maximum punishment that can be awarded for the alleged offences is 10 years imprisonment. Section 18 of the Act of 1989 is not attracted against the appellant as there are no such allegations against the appellant.

12. It is not the case of the respondent-State that the appellant has criminal antecedents. Thus, no reason to believe that the appellant will not co-operate for the fair trial. The custodial interrogation is also not required.

13. Hence, the following.

ORDER

(i) The appeal is ***allowed***.

(ii) Appellant/accused No.5 shall appear before the jurisdictional police within 15 days from today and shall be released on bail in connection with Crime No.07/2026 registered before Hosapete Rural Police Station.

(iii) Appellant/accused No.5 shall furnish bail bond for a sum of Rs.2,00,000/- with two sureties for the likesum.

(iv) Appellant/accused No.5 shall co-operate with the investigation or inquiry.

(v) Appellant/accused No.5 shall not threaten, induce, or promise anyone acquainted with the facts, nor tamper with evidence or witnesses.

(vi) Appellant/accused No.5 shall mark his presence before the police as and when their presence is required.

(vii) Appellant/accused No.5 shall not leave the jurisdiction of the police station without prior information and intimation to the jurisdictional police.

(viii) Appellant/accused No.5 shall not commit any offences.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

SMM / CT: UMD
List No.: 1 Sl No.: 11