



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 5TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.M.NADAF

CRIMINAL PETITION NO. 200564 OF 2026

(438(Cr.PC)/482(BNSS))

BETWEEN:

SHANTHAYYA S/O BASAYYA
AGE : 64 YEARS, OCC: NIL,
R/O: WARD NO.21 NEAR THONTDRAYYA MATH
LINGASUGUR TQ: LINGASUGUR,
DIST; RAICHUR – 584 122.
AADHAAR NO.944425509089

...PETITIONER

(BY SRI. GANESH NAIK, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
THROUGH BRAHMAPUR POLICE STATION
KALABURAGI, REPRESENTED BY
ADDL. SPP HIGH COURT OF KARNATAKA
AT KALABURAGI DIST: KALABURAGI -07.

...RESPONDENT

(BY SRI. JAMADAR SHAHABUDDIN, HCGP)

THIS CRL.P IS FILED UNDER SECTION 438 OF CR.P.C (OLD), U/S. 482 OF BNSS (NEW), PRAYING TO ALLOW THE PETITION THEREBY GRANTING ANTICIPATORY BAIL TO THE PETITIONER AND DIRECT THE RESPONDENT POLICE / BRAHMAPURA POLICE STATION, DIST. KALABURAGI, TO RELEASE THE PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CONNECTION WITH CRIME NO.266/1999, (OFFENCES P/U/S 420, 468 AND 471 OF IPC), FILE PENDING BEFORE THE IV ADDL. CIVIL JUDGE AND JMFC AT GULBARGA / KALABURAGI IN C.C.NO.1073/2003, IN THE EVENT OF HIS ARREST IN THE INTEREST OF JUSTICE AND EQUITY.

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





CORAM: HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

Heard Sri.Ganesh Naik, learned counsel appearing for the petitioner and learned High Court Government Pleader for the respondent-State on main petition.

2. Learned counsel for the petitioner files a memo along with order sheet dated 30.01.2013, wherein the Trial Court has observed that, the petitioner was earlier released on bail on 21.12.1999 on furnishing personal bond as well as surety.

3. Learned counsel submits that, thereafter the petitioner lost his job and shifted to his native, as such, the petitioner was not aware of filing of the charge-sheet in 2001. In that view of the matter, the Trial Court issued non-bailable warrant against him and subsequently issued notice canceling the surety and forfeiting the surety bond and issued proclamation notice as well LPR i.e. Long Pending Register notice against the petitioner.



4. In that view of the matter, the petitioner seeks leave of the Court to appear before the concerned Court and would file regular bail application before the concerned Court. Further he seeks indulgence of this Court that the concerned Court may be directed to consider the bail application on the same day for disposal as NBW and proclamation notice issued against the petitioner. Learned counsel further submits that, the petitioner would abide by all the conditions, which would be imposed in the event he is admitted on bail.

5. Learned HCGP submitted that the prayer may be considered.

6. Considering the submission and noting that the petitioner was on bail during the crime stage and charge-sheet has been filed in 2001, now 25 years passed, the jurisdictional Court to consider the case of the petitioner in the event bail application is filed preferably on the same day and pass appropriate orders in accordance with law.



7. With these observations, petition stands disposed of.

Sd/-
(T.M.NADAF)
JUDGE

SDU
LIST NO.: 2 SL NO.: 5
CT:VK