



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 9TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO.100971 OF 2026

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

BETWEEN:

KAMALESH GAJANAN NAIK @ N.G. KAMALESH,
AGE. 46 YEARS, OCC. COOLIE,
R/O. NAGARABASTIKERI,
MAVINKURVA, HONNAVAR,
U K DIST-581384.

...PETITIONER

(BY SRI. GOURISHANKAR MOT, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
RANGE FOREST OFFICER, GERSOPA, HONNAVAR,
REP. BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH, DHARWAD-580011.

...RESPONDENT

(BY SRI. ABHISHEK MALIPATIL, HCGP)



THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 OF CR.P.C. (UNDER SECTION 482 OF BNSS, 2023) PRAYING TO GRANT ANTICIPATORY BAIL DIRECTING THE RESPONDENT TO RELEASE THE PETITIONER ACCUSED NO.1 ON BAIL IN THE EVENT OF HIS ARREST IN GERSOPPA WLOR NO.01/2025-26 FOR OFFENCES PUNISHABLE UNDER SECTION 27(3), 29, 31, 50, 51 AND 52 OF WILD LIFE PROTECTION ACT AND SECTION 24(E) AND 24(G) OF THE KARNATAKA FOREST ACT, 1963, PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC COURT AT: HONAVAR IN PCR NO.120/2026, BY IMPOSING CONDITIONS.



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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner and the learned High Court Government Pleader appearing for the respondent-State.

2. This petition is filed seeking anticipatory bail in connection with the WLOR No.1/2025-26 registered by the RFO, Gersoppa.

3. It is alleged that, the petitioner has destroyed the boundary marks and caused the change of the river course.

4. Learned counsel for the petitioner would urge that the petitioner is the adjoining holder of the forest land and the maximum punishment that can be awarded for the alleged offences is three years imprisonment.

5. The case is registered for the alleged offences under Sections 27(3), 29, 31, 50, 51 and 52 of the Wildlife Protection



Act and Sections 24(e) and 24(g) of the Karnataka Forest Act, 1963.

6. Learned High Court Government Pleader would oppose the petition on the premise that a criminal complaint is pending against the petitioner in Crime No.71/2026 before the jurisdictional police at Honnavar for the offences under Sections 329(3), 329(4), 351(2), 459, 352 read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

7. The Court has considered the contentions raised at the bar and perused the records.

8. It is noticed from the contents of the FIR that the maximum punishment that can be awarded against the petitioner is three years imprisonment. Though, it is pointed out that one more case is pending against the petitioner for the aforementioned offences under BNS, 2023, the Court is of the view that the petitioner is entitled for bail considering the gravity of the offences.

9. Hence, the following:



ORDER

- (i) The petition is ***allowed***.
- (ii) Petitioner shall appear before the jurisdictional police within 15 days from today and shall be released on bail in connection with WLOR No.1/2025-26 registered by the RFO, Gersoppa
- (iii) Petitioner shall furnish bail bond for a sum of ₹1,00,000/- with one surety for the likesum.
- (iv) Petitioner shall co-operate with the investigation or inquiry.
- (v) Petitioner shall not threaten, induce, or promise anyone acquainted with the facts, nor tamper with evidence or witnesses.
- (vi) Petitioner shall mark his presence before the police as and when their presence is required.



(vii) Petitioner shall not leave the jurisdiction of the police station without prior information and intimation to the jurisdictional police.

(viii) Petitioner shall not commit any offences.

**Sd/-
(ANANT RAMANATH HEGDE)
JUDGE**

SMM / CT: UMD
List No.: 1 SI No.: 27