



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

**CRIMINAL PETITION NO. 7172 OF 2026 (439(Cr.PC) /
483(BNSS))**

BETWEEN:

SRI KIRAN SHETTY @ BOMBAY KIRAN @ GUNDA
S/O RAMESH SHETTY
AGED ABOUT 32 YEARS,
RESIDENT OF KOPPALA MANE,
PADUMARNADU VILLAGE AND POST,
MANGALORE DISTRICT-574213
(AT PRESENT IN JUDICIAL CUSTODY)

...PETITIONER

(BY SRI. NISHANTH S.K., ADVOCATE FOR
SRI. KRISHNA MOORTHY P., ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY MANDI POLICE STATION,
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560 001

...RESPONDENT

(BY SMT. WAHEEDA M.M., HIGH COURT GOVERNMENT PLEADER)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
S.C.NO.270/2017 REGISTERED BY THE RESPONDENT POLICE FOR
THE OFFENCES PUNISHABLE UNDER SECTION 302 OF IPC, PENDING
BEFORE THE VII ADDL. DISTRICT AND SESSIONS JUDGE,
MYSURU.THE VII ADDL. SESSIONS JUDGE, MYSURU HAS DISMISSED
THE BAIL PETITION ON 24.01.2026 IN SC.NO.270/2017.





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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

This petition is filed by the petitioner seeking enlargement on bail in S.C.No.270/2017 pending trial before the VII Additional District and Sessions Judge, Mysuru for the offence punishable under Section 302 of IPC.

2. The only ground on which the petitioner is pursuing this petition is that there is an inordinate delay in conclusion of the trial and that the petitioner has been in custody since the last ten years.

3. The learned counsel for the petitioner contends that all the eyewitnesses have been examined and it is only a few official witnesses who are yet to be examined and therefore, prays that there is no need to continue the judicial custody of the petitioner.

4. The learned High Court Government Pleader does not dispute the fact that all the relevant eyewitnesses have



been examined and that the petitioner is in custody since the date of commission of the offence i.e., 10.11.2016.

5. In that view of the matter and in view of the judgment of the Hon'ble Apex Court in ***Union of India vs. K.A. Najeeb [(2021) 3 SCC 713]***, the petitioner is entitled to bail. Consequently, the following order is passed.

ORDER

The petition is ***allowed***. The petitioner is ordered to be released on bail in S.C.No.270/2017 pending trial before the VII Additional District and Sessions Judge, Mysuru for the offence punishable under Section 302 of IPC, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs only) and furnish a solvent surety for the likesum and to the satisfaction of the Trial Court.
- ii. He shall appear before the Court on all dates of hearing unless exempted by the Court.



- iii. He shall not commit any offence similar to the offence of which he is accused or suspected of commission of which he is suspected.
- iv. He shall not, directly or indirectly, threaten the prosecution witnesses in any manner whatsoever. He shall not make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.
- v. He shall not leave the jurisdiction of the Court without obtaining its permission and shall surrender his passport if he has one.

In the event of violation of any of the above conditions, it is open for the Investigating Officer / prosecution to seek for cancellation of the bail.

Sd/-
(R. NATARAJ)
JUDGE