



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 5TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 5351 OF 2026

BETWEEN:

MADESH N @ MADESHA N
S/O NAGESH
AGED ABOUT 19 YEARS
KANCHOHALLI VILLAGE
SULLERI PALYA, HANNUR TALUK
CHAMARAJANAGAR
DISTRICT PIN - 571 439.

...PETITIONER

(BY SRI HARISH PRABHU S, ADV.)

AND:

1. STATE OF KARNATAKA
BY BAGALAGUNTE.P.S
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.
2. XXX

...RESPONDENTS

(BY SRI RANGASWAMY R, HCGP FOR R-1;
R-2 SERVED)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS)
PRAYING TO ENLARGING THE PETITIONER ON BAIL IN
SPL.C.NO.312/2026 (CR.NO.467/2025) REGISTERED BY
BAGALAGUNTE P.S. BENGALURU FOR THE OFFENCE P/U/S
137(2),87,64,351(2) OF BNS A/W SEC.5(L), 6 OF THE POCSO ACT
PENDING BEFORE THE HONBLE SPL.CITY CIVIL AND SESSION
JUDGE, FTSC-2 AT 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

1. Accused in Spl.C.No.312/2026 pending before the Court of Addl. City Civil & Sessions Judge-FTSC-II, Bengaluru, arising out of Crime No.467/2025 registered by Bagalagunte Police Station, Bengaluru for the offence punishable under Sections 64, 351(2), 137(2) & 87 of BNS, 2023 and Sections 5(L) & 6 of the Protection of Children from Sexual Offences Act, 2012, is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the petitioner and learned HCGP appearing for respondent No.1 - State.

3. Respondent No.2, who is served in the matter has remained unrepresented before this Court.

4. FIR in Crime No.467/2025 was registered by Bagalagunte Police Station, Bengaluru against unknown



person initially for the offence punishable under Section 137(2) of BNS, 2023 on the basis of first information dated 25.11.2025 received from respondent No.2 herein, who is the mother of the victim girl, aged about 16 years 9 months as on the said date. During the course of investigation, the petitioner and the victim girl were traced together in Assam State and brought back by police to their village. The petitioner, was arrested and produced before the jurisdictional Court on 25.12.2025 and remanded to judicial custody. Investigation in the case was subsequently completed and charge sheet has been filed against the petitioner for the aforesaid offences.

5. The bail application filed by the petitioner before the Sessions Court in CrI.Misc.No.801/2026 was dismissed on 16.03.2026. Therefore, he is before this Court.

6. The mother of the victim girl had approached the jurisdiction police on 25.11.2025 after her minor



daughter aged about 16 years 9 months, who had gone out of their house on 24.11.2025 had not returned home. Efforts made to trace her had failed and it is under these circumstances, FIR was registered against unknown person for the offence punishable under Section 137(2) of BNS, 2023.

7. The statement of the victim girl who was studying in I PUC has been recoded in the present case by the Court of jurisdictional Magistrate on 20.01.2026. The victim girl has stated that she and the petitioner are acquainted to each other and on 24.11.2025 she had left her house and had gone with the petitioner and traveled to Assam in a flight. They had stayed together at Assam in the petitioner's brother's house. She has stated that prior to she accompanied the petitioner to Assam, on 15.11.2025 she has sexual intercourse with the petitioner in his room at Chikkajala in Bengaluru.



8. Investigation of the case is now completed and charge sheet has been filed. The petitioner aged about 19 years is in custody from 25.12.2025. The material on record would go to show that, the petitioner and the victim girl were in love and they had together traveled to Assam in a flight and had stayed together in the petitioner's brother's house for a period of one month.

9. Considering the aforesaid aspects of the matter and also having regard to the age of the petitioner and the victim girl, I am of the opinion that the prayer made by the petitioner for grant of regular bail is required to be answered affirmatively.

10. Accordingly, the following:

ORDER

The Criminal Petition is ***allowed***.

The petitioner is directed to be enlarged on bail in Spl.C.No.312/2026 pending before the Court of Addl. City



Civil & Sessions Judge-FTSC-II, Bengaluru, arising out of Crime No.467/2025 registered by Bagalagunte Police Station, Bengaluru for the offence punishable under Sections 64, 351(2), 137(2) & 87 of BNS, 2023 and Sections 5(L) & 6 of the Protection of Children from Sexual Offences Act, 2012, subject to the following conditions:

a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000 (Rupees One Lakh only) with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;

c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;



d) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

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

NMS
List No.: 1 SI No.: 57