



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 2466 OF 2026 (439(Cr.PC))

BETWEEN:

1. SRI. MOULA
S/O ATAVULLA,
AGED ABOUT 23 YEARS,
R/AT BEHIND ANJANEYA SWAMY TEMPLE,
INDIRA NAGARA,
SRINIVASAPURA TOWN,
KOLAR DISTRICT-563 101.

... PETITIONER

(BY SRI. NARAYANASWAMY K N., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
SIDLAGHATTA TOWN POLICE STATION,
REP. BY-STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA
HIGH COURT BUILDINGS,
BENGALURU - 560 001.

... RESPONDENT

(BY SMT. RASHMI JADHAV, ADDL. SPP)

THIS CRL.P. IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS), PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL UNDER SECTION 439 OF THE CODE OF CRIMINAL PROCEDURE IN (CRIME NO. 24/2022) SC.NO.04/2023 OF SIDLAGHATTA TOWN POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 380, 397, 457, 302, 120(B)





R/WT 34 OF THE INDIAN PENAL CODE, PENDING ON THE FILE OF II ADDITIONAL DISTRICT AND SESSIONS JUDGE, AT CHIKKABALLAPURA SITTING AT CHINTAMANI.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

The accused No.2 in S.C.No.4/2023 pending before the Court of II Additional District and Sessions Judge, Chikkaballapura, sitting at Chintamani, arising out of Crime No. 24/2022 registered by Shidlaghatta Town Police Station, Bangalore, for the offences punishable under Sections 380, 397, 457, 302, 120(B) read with Section 34 of Indian Penal Code is before this Court in this criminal petition filed under Section 439 of Code of Criminal Procedure, seeking regular bail.

2. Heard the learned counsel for the petitioner and the learned HCGP for the respondent/State.

3. Learned counsel for the petitioner submits that on the merits of the case, petitioner was granted regular



bail by the jurisdictional Sessions Court in Crl. Misc. No. 161/2023. Thereafter he had appeared before the trial Court till 13.02.2024. It is only for the reason that the petitioner had remained absent subsequently on the regular dates of hearing, non-bailable warrant was issued against him and he was arrested and remanded to judicial custody on 24.09.2024. He submits that petitioner has no other criminal antecedents. Accordingly, he prays for allowing the petition.

4. Per contra, learned Additional SSP who has opposed the petition, however does not dispute the submissions made by the learned counsel for the petitioner.

5. The material on record would go to show that petitioner and another were charge sheeted for the aforesaid offences in Crime No. 24/2022 registered by the Shidlaghatta Town Police Station, Chickballapura. It is not in dispute that petitioner who was arrested on 11.04.2022



was granted regular bail by the jurisdictional Sessions Court in Cril.Misc. No. 161/2023. The order sheet of the trial Court would go to show that subsequently petitioner was appearing before the said Court till 13.02.2024. It is only for the reason that the petitioner had not appeared before the trial Court on the regular dates of hearing, coercive steps were taken against him and his presence was secured on 24.09.2024 and the trial Court had remanded him to the judicial custody on the said date.

6. Petitioner has been in custody for the last more than 1 year 8 months. Petitioner who was granted regular bail on the merits of the case has been arrested and remanded to custody only for the reason that he had not appeared before the trial Court on the regular dates of hearing. For the mistake committed by the petitioner, he has been sufficiently punished. Even after the petitioner was arrested and remanded to the judicial custody, there is no much progress in the case before the trial Court. As on this date, only C.W.2 has been examined as P.W.1.



7. Under the circumstances, I am of the opinion that, prayer made by the petitioner for grant of regular bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following:

ORDER

The petition is ***allowed***.

The petitioner is directed to be enlarged on bail in S.C.No.4/2023 pending before the Court of II Additional District and Sessions Judge, Chikkaballapura, sitting at Chintamani, arising out of Crime No. 24/2022 registered by Shidlaghatta Town Police Station, Bangalore, for the offences punishable under Sections 380, 397, 457, 302, 120(B) read with Section 34 of IPC, subject to the following conditions:

- a) The petitioner shall execute personal bond for a sum of Rs.2,00,000/- 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 involve in similar offences in future;
- e) 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**

VP