HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 6062 OF 2026

BETWEEN:

PRADEEP POOJARY
S/O DINESH POOJARY
AGED ABOUT 27 YEARS
RESIDING AT 4-37G
BORWELL NAYARA KODU
PERDOOR UDUPI DISTRICT - 576 124

...PETITIONER

(BY SRI. NISHIT KUMAR SHETTY, ADVOCATE)

AND:

1. THE STATE THROUGH
SHO WOMEN POLICE STATION
UDUPI DISTRICT
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BANGALORE - 560 001

2. H SHRAVYA
D/O LATE SHANKARA SHETTY
AGED ABOUT 26 YEARS
R/AT NO. 4-42, HANDHIBETTU MANE
PAADIGAR PERDOOR VILLAGE
UDUPI TALUK, UDUPI - 576 124

...RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP FOR R1)

Digitally signed by SANJEEVINI J KARISHETTY
Location: High Court of Karnataka

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 07.01.2026 IN CRL.MISC NO.504/2025 PASSED BY THE PRL.DISTRICT AND SESSIONS JUDGE UDUPI ON PETITION FILED BY THE 1ST RESPONDENT U/S 483(3) OF BNSS SEEKING CANCELLATION OF BAIL GRANTED TO THE PETITIONER IN CRL.MISC NO.449/2025 (CRIME NO.49/2025 OF UDUPI WOMEN POLICE STATION) FOR THE OFFENCES U/S 75(2), 126(2), 352 AND 351(2) OF BNS BY THE PRL.DISTRICT AND SESSIONS JUDGE, UDUPI BY ITS ORDER DATED 24.11.2025.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before the Court calling in question an order of the concerned Court which cancels the bail of the petitioner. The petitioner gets embroiled in a crime in Crime No.49/2025 for several offences. The petitioner was enlarged on bail in Crime No.49/2025. After his release from prison, it transpires that the petitioner gets

embroiled in a subsequent crime in Crime No.51/2025 for offences punishable under Sections 64, 115(2), 351(2) and 352 of the BNS, 2023. On the score that the petitioner has got embroiled in a second crime, contrary to the conditions of bail, the bail stood cancelled on an application being made by the prosecution. This is what is called in question in the case at hand.

2. It transpires that subsequent to the registration of the subsequent crime, in Crime No.51/2025, the petitioner has been enlarged on bail by the Co-ordinate Bench in the said crime as well. In the light of the petitioner getting bail for the offence by the hands of the Co-ordinate Bench, it would suffice to narrate what the Co-ordinate Bench has held while granting bail. The order reads as follows:

"ORDER

Criminal petition is allowed.

The petitioner is directed to be enlarged on bail in S.C.No.6 of 2026, pending before the Court of II Additional District & Seesions Judge, Udupi, arising out of Crime No. 51 of 2025 registered by Udupi Women Police Station, for offences punishable under

Section 64, 115(2), 351(2) and 352 of BNS 2023, 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 involve in similar offences in future;"

3. In the light of the bail being granted in the subsequent crime, the cancellation of bail on the strength of the registration of the subsequent crime would tumble down.

4. In that light, the petition deserves to succeed. For the aforesaid reasons the following

ORDER

(i) The petition is ***allowed***.

(ii) The order of cancellation of bail stands *set aside.* The bail granted to the petitioner in Crime No.49/2025 stands restored.

Ordered accordingly.

Sd/-
(M.NAGAPRASANNA)
JUDGE

GH
List No.: 1 Sl No.: 11