



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. 3817 OF 2026

BETWEEN:

SRI BHARATH J
S/O JAYARAM @ JAYAPPA
AGED ABOUT 20 YEARS
R/O NAKKANAHALLI VILLAGE
KYASAMBALLI HOBLI
KGF TALUK - 563 122.

...PETITIONER

(BY SRI SRINATHA B.V, ADV.)

AND:

1. STATE OF KARNATAKA
MASTHI POLICE STATION
REPRESENTED BY STATE PUBLIC
PROSECTOR, HIGH COURT COMPLEX
BENGALURU - 560 001.
2. XXX

...RESPONDENTS

(BY SMT. RASHMI JADHAV, ADDL. SPP FOR R-1;
R-2 SD)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS)
PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL IN SPL.C
(POCSO) NO.113/2025 ARISING OUT OF CR.NO.148/2025
REGISTERED BY MASTI P.S., FOR THE OFFENCE P/U/S 64(2) OF BNS,
U/S 6 OF POCSO ACT, PENDING BEFORE THE HONBLE ADDL.
DISTRICT AND SESSIONS JUDGE, FTSC-1 (POCSO) AT KOLAR.THE
ADDITIONAL DISTRICT AND SESSIONS JUDGE, FTSC-I (POCSO)
KOLAR HAS DISMISSED THE BAIL PETITION ON 29.12.2025 IN SPL.C
(POCSO) NO.113/2025.COPY SERVED ON SPP.NOTE -1. PARA NOS.





ARE NOT STATED CORRECTLY AT PETITION. (INK PG.NO.5)POST CRL.P BEFORE COURT FOR ORDERS A/W NOTE.(VIDE R(J) MEMO NO.138/2025, DATED 29.01.2026) - SOPVA070326

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 Special Case (POCSO) No.113/2025 pending before the Court of Addl. District and Sessions Judge, FTSC-I (POCSO), Kolar, arising out of Crime No.148/2025 registered by Masti Police Station, Kolar, for the offences punishable under Section 6 of the POCSO Act, 2012 and Section 64(2) of BNS, 2023, is before this Court under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the petitioner and the learned Additional SPP appearing on behalf of the respondent - State. Respondent No.2, who is served in the matter has remained unrepresented before this Court.

3. FIR in the present case was registered in Crime No.148/2025 by Masti Police Station, Kolar, against the



petitioner initially for the offences punishable under Sections 351(2), 64(2) and 352 of BNS, 2023 and Section 4 of the POCSO Act, 2012, based on the first information dated 14.09.2025 received from respondent No.2, who is the mother of the victim girl, aged about 17 years. During the course of investigation, petitioner herein was arrested on 15.09.2025 and remanded to judicial custody. Investigation in the case is completed and charge sheet has been filed against the petitioner for the aforesaid offences. His bail application filed before the jurisdictional Sessions Court in Special Case (POCSO) No.113/2025 was rejected on 29.12.2025. Therefore, he is before this Court.

4. Learned counsel for the petitioner submits that the allegations now found in the charge sheet is quite different from the allegations found in the first information. He submits that father of the victim girl had filed a police complaint on 12.09.2025 and a reading of the said complaint would go to show that allegations now found in the first information and in the charge sheet against the petitioner are all false. He submits that petitioner, who has no other criminal antecedents, aged



about 20 years, is in custody from 15.09.2025 and accordingly, he prays to allow the petition.

5. Per contra, learned Addl. SPP has opposed the petition. She submits that victim girl has made serious allegations against the petitioner in her statement recorded under Section 183 of BNSS, 2023, and the medical records also support the case of the prosecution. She also submits that in the event, petitioner is enlarged on bail, he is likely to tamper with material charge sheet witnesses. Accordingly, he prays to dismiss the petition.

6. Perusal of the material on record would go to show that petitioner is a close relative of the victim girl. In her statement made under Section 183 of BNSS, 2023, victim girl has stated that there is a dispute between two families and they had quarrelled as against each other. The allegations now made against the petitioner as found in the first information is that on 11.09.2025 at about 08.30 a.m., petitioner had forcibly entered into the house of victim girl and after tying her hands and legs had committed forcible sexual assault on her and thereafter, had left the place after criminally intimidating her. Based on



such allegations, FIR was registered in Crime No.148/2025. Investigation of the case is completed and charge sheet has been filed.

7. As per the charge sheet allegations, petitioner and the victim girl were acquainted to each other and he had sexual intercourse with her multiple times against her wishes. It is further alleged that on 10.09.2025 and on 11.09.2025 also, petitioner had forcible sexual intercourse with the victim girl against her wishes. Learned counsel for the petitioner has produced certain documents along with a memo. Perusal of the said documents would go to show that on 12.09.2025, father of the victim girl had approached Kyasamballi Police Station and had submitted a typed first information alleging that on 11.09.2025 and on 12.09.2025, petitioner, his brother and mother had come near their house and after abusing them in filthy language had thrown away cooking utensils and had broken their house door. Based on such a complaint, NCR case was registered and the statement of the petitioner and his mother was recorded by the police on 13.09.2025. In the complaint that is filed on 12.09.2025 by the father of the victim



girl, he has not made any allegations as against the petitioner about the alleged sexual assault on his daughter. Subsequently, present case is registered on 14.09.2025. Petitioner aged about 20 years, who is a close relative of victim's family is in custody from 15.09.2025. Investigation of the case is completed and charge sheet has been filed. The allegations now made against the petitioner is required to be proved in a full fledged trial. Continued detention of the petitioner, who is aged about 20 years, is likely to have an adverse impact on his future career. Under the circumstances, I am of the opinion that without expressing any opinion on merits and demerits of the case, the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

8. The petition is allowed. The petitioner is directed to be enlarged on bail in Special Case (POCSO) No.113/2025 pending before the Court of Addl. District and Sessions Judge, FTSC-I (POCSO), Kolar, arising out of Crime No.148/2025 registered by Masti Police Station, Kolar, for the offences punishable under



Section 6 of the POCSO Act, 2012 and Section 64(2) of BNS, 2023, subject to the following conditions:

- a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- 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**

DN
List No.: 1 SI No.: 72