



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

CRIMINAL PETITION NO. 7025 OF 2026

BETWEEN:

SRI MANJUNATHA N
S/O LATE NARASIMHAIAH,
AGED ABOUT 52 YEARS,
OCCUP: OWNER OF SHANKAR THEATRE AND
AGRICULTURALIST,
R/AT NO. C547, WARD NO. 7,
AGRAHARA LAYOUT,
RAMANAGARA TOWN,
BENGALURU SOUTH DISTRICT,
PIN - 562 159.

...PETITIONER

(BY SRI. RAVISHA M.G., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY RAMANAGARA TOWN POLICE STATION,
RAMANAGARA DISTRICT.
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

2. THE VICTIM,
REP. BY HER GRANDMOTHER,
SMT. RAJAMMA,
AGED ABOUT 60 YEARS,
R/AT RAMANAGARA TOWN AND TALUK,
BENGALURU SOUTH DISTRICT,
PIN-562159.

...RESPONDENTS

(BY SMT. WAHHEEDA M.M., HIGH COURT GOVERNMENT PLEADER
FOR RESPONDENT-STATE)





THIS CRL.P IS FILED U/S 438 CR.P.C. (U/S 482 BNSS) PRAYING TO ENLARGE HIM ON ANTICIPATORY BAIL ARISING OUT OF CR.NO.27/2026 REGISTERED BY RAMANAGARA TOWN P.S., RAMANAGARA, FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 352, 351(2), 329(4) R/W 3(5) OF BNS 2023, U/S 8 AND 12 OF POCSO ACT, U/S 3(1)(r)(s) OF SC/ST (POA) ACT, 1989.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought anticipatory bail in Crime No.27/2026 registered by the respondent No.1 for the offences punishable under Sections 352, 351(2), 329(4), 3(5) of Bharatiya Nyaya Sanhita, 2023 read with Sections 8 and 12 of Protection of Children from Sexual Offences Act, 2012 and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (henceforth referred as "SC/ST (POA) Act, 1989").

2.(i). The respondent No. 2 informed the respondent No. 1 on 18.03.2026 that she knew the petitioner through her friend. She alleged that due to harassment by the petitioner she stopped going to school from the year 2024-25. She



alleged that the petitioner used to wait for her to return from school and he used to touch her inappropriately and that she had lodged a complaint in that regard. She alleged that on 14.03.2026 at about 9.00 a.m. the petitioner went near her house and took her caste and abused her. She also alleged that the petitioner took 4 boys near her house who threatened to murder her and also throw acid on her and her grandmother. She also alleged that the petitioner telephoned her and asked her to sleep with him and also bring her friends to sleep with him. She claimed that the petitioner had mentally and physically harassed her and used to stalk her wherever she went. He also threatened to stab her in case if she did not sleep with him.

2.(ii). Based on this information, respondent No. 1 registered Crime No.27/2026 for the aforesaid offences. The petitioner moved an application for anticipatory bail under Section 482 of BNSS 2023, which was rejected by the trial Court on the ground that there was a *prima facie* case made out for conducting an investigation and in view of the bar contained in Section 18 of the SC/ST (POA) Act, 1989. The petitioner is therefore before this Court.



3. The learned counsel for the petitioner submits that the petitioner is the owner of a cinema theatre and that the victim girl and her friends used to contact him to buy tickets to watch a movie in his theatre. He contended that the victim girl was blackmailing him to extract gold and money and to transfer his immovable property, which was resisted by the petitioner and therefore, a false complaint is filed against the petitioner.

4. The learned High Court Government Pleader on the other hand contended that the victim girl has made serious allegations against the petitioner which warrant a custodial interrogation. More particularly in view of the allegations made by the victim girl that the petitioner used to telephone her and used to call her to sleep with him. She contends that the victim is a minor girl and therefore offences under the POCSO Act, 2012 are also made out and she being a person belonging to Schedule Caste, offences under Section 3(1)(r)(s) of the SC/ST (POA) Act, 1989 is also made out. She contends that in view of law laid down by Hon'ble Supreme Court in **RAHNA JALAL V. STATE OF KERALA** reported in **2021(1) SCC 733**, the petition filed under Section 438 of Cr.P.C is not maintainable if there is *prima facie* evidence.



5. I have considered submissions made by the learned counsel for the petitioner and the learned High Court Government Pleader for the respondents.

6. It appears from the cause title that the petitioner is 52 years old, while the victim girl was a school going student studying in 9th standard. The victim girl has alleged that the petitioner was touching her inappropriately and at times, was stalking her and in that regard, she had lodged a complaint before the police on 18.03.2026. She alleged that the petitioner infuriated by the complaint lodged, had escalated his harassment by sending a few boys to her house who threatened her of murder and that they would splash acid on her. It appears that the petitioner had telephoned the victim girl and asked her to sleep with him and also to take her friends to sleep with him. Therefore, as rightly contended by learned High Court Government Pleader, there is *prima facie* material against the petitioner and in view of Section 18 of the SC/ST (POA) Act, 1989 and in view of the judgment of the Hon'ble Apex Court in the case of **RAHANA JALAL** *supra*, petitioner is not entitled for anticipatory bail. Hence, the petition is ***rejected***.



However, if the petitioner appears before the trial Court and files an application under Section 483 of BNSS, the trial Court is requested to consider the application as far as possible on the same day and pass appropriate orders.

**Sd/-
(R. NATARAJ)
JUDGE**

BSV
List No.: 1 SI No.: 21