



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. 7376 OF 2026 (438(Cr.PC) /
482(BNSS))**

BETWEEN:

MAHESH SHETTY THIMARODY
AGED ABOUT 58 YEARS,
S/O LATE VITALA SHETTY
R/AT THIMARODY HOUSE,
UJIRE VILLAGE,
BELTHANGADY TALUK-574240.

...PETITIONER

(BY SMT. AKSHATHA SHETTY K., ADVOCATE)

AND:

STATE OF KARNATAKA
BY STATION HOUSE OFFICER
D.K. WOMEN PS
REP. BY THE STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
VIDHANA VEEDHI ROAD
BANGALORE-560001

...RESPONDENT

(BY SMT. RASHMI JADHAV, ADDITIONAL STATE PUBLIC
PROSECUTOR)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) CR.P.C
PRAYING TO GRANT ANTICIPATORY BAIL BY DIRECTING THE
RESPONDENT THAT IN THE EVENT OF ARREST OF THE PETITIONER
IN CONNECTION TO CRIME NO.21/2026 FOR THE ALLEGED OFFENCE
PUNISHABLE UNDER SECTIONS 196(1), 352, 351(2), 79 OF BNS
REGISTERED AT D.K., WOMEN POLICE STATION AND TO ENLARGE
THE PETITIONER ON BAIL WITH SUCH OTHER TERMS AND





CONDITIONS AS THIS HON'BLE COURT MAY DEEM FIT TO GRANT IN THE CIRCUMSTANCE OF THE CASE.

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 filed this petition under Section 482 of BNSS, 2023 seeking anticipatory bail in Crime No.21/2026 registered by the respondent for the offences punishable under Sections 196(1), 352, 351(2), 79 of BNS.

2. (i) The complainant informed the respondent on 13.04.2026, that she found her son disturbed and when she enquired with him, he disclosed that there was a conversation between one Mr. Prajwal and the petitioner, which was forwarded by Mr. Prajwal to him. In the said conversation, the petitioner told Mr. Prajwal that he had seen a video and asked him whether the video related to his father. In the conversation, the petitioner purportedly asked Mr.Prajwal whether the complainant had slept with Veerendra Hegde. The petitioner also alleged that the son of the complainant and others were not born to Shetty family but were born to Jains.



The complainant alleged that the petitioner had thereby linked her to Veerendra Hegde and his brothers. She claimed that this outraged her modesty and generated enmity between groups. She therefore sought action against the petitioner. Following this, a case in Crime No.21/2026 was registered against the petitioner for the offences punishable under Sections 196(1), 352, 351(2), 79 of BNS.

(ii) The petitioner sought anticipatory bail before the District Court in Crl.Misc.No.348/2026, which however came to be dismissed in terms of an order dated 06.05.2026 primarily on the ground that offences alleged against the petitioner were serious in nature and that there was *prima facie* case against the petitioner. The petitioner is therefore before this Court seeking anticipatory bail.

3. The learned counsel for the petitioner submitted that the petitioner did not attribute any defamatory or indecent statements to the complainant, but he was referring to a play staged by Mr. Prajwal. Be that as it may, she contends that the offences alleged against the petitioner are not punishable with



death or life imprisonment and that the petitioner has been targeted since he tried to expose the Hegde family.

4. Per contra, the learned Additional State Public Prosecutor submitted that the allegations made by the complainant against the petitioner are severe and outrages her modesty. It also incited hatred amongst groups and hence, the investigation into the offences was necessary and the custodial interrogation of the petitioner is necessary for taking the case to its logical end.

5. I have considered the submissions of the learned counsel for the petitioner as well as the learned Additional State Public Prosecutor for the respondent.

6. The petitioner has sought for anticipatory bail in respect of offences which are neither punishable with death or life imprisonment. The only consideration that should have weighed in the mind of the Trial Court was whether there is a *prima facie* case against the petitioner and whether granting anticipatory bail would embolden the petitioner to flee from the hands of justice. The case revolves around a telephone conversation and hence, there is no need for a custodial



interrogation although the petitioner is required to give his voice sample for forensic analysis. This can be taken care by imposing suitable conditions. The Trial Court must have considered the application of the petitioner for anticipatory bail from this perspective.

7. Consequently, the petition is ***allowed***. The petitioner is granted anticipatory bail and the respondent is directed to release the petitioner in the event of his arrest in Crime No.21/2026 registered by the respondent for the offences punishable under Sections 196(1), 352, 351(2), 79 of BNS, subject to the following conditions:-

- i. He shall execute a personal bond for Rs.2,00,000/- (Rupees Two lakhs only) with a solvent surety for the likesum and to the satisfaction of the Trial Court.
- ii. He shall make himself available for interrogation by the Investigating Officer as and when required and co-operate with the investigation by providing his voice sample.



- iii. He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.
- iv. He shall not leave the jurisdiction of the Court without the previous permission of the Court.
- v. He shall not indulge in commission of any similar offences.

In the event of violation of any of the above conditions, it is open for the Investigating Officer to seek for cancellation of the anticipatory bail granted.

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