



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 16TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 513 OF 2026

BETWEEN:

SRI MANJUNATHA
S/O LATE BYATAPPA
AGED ABOUT 28 YEARS
R/O CHIKKALASANDRA VILLAGE
SHIDLAGHATTA TALUK
CHIKKABALLAPURA DISTRICT.

...PETITIONER

(BY SRI K. THEJAS, ADV.)

AND:

1. STATE OF KARNATAKA
BY POLICE INSPECTOR
SRINIVASAPURA POLICE STATION
SRINIVASAPURA
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

2. XXX

3. XXX

...RESPONDENTS

(BY SRI RANGASWAMY R, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ALLOW THIS PETITION AND THEREBY SET ASIDE THE ORDER PASSED IN SPECIAL CASE (POCSO) NO.54/2025 VIDE ORDER DATED 29.10.2025 ON THE FILE OF THE DISTRICT AND SESSIONS JUDGE, FTSC-I (POCSO) AT KOLAR AND RELEASE THE APPELLANT ON BAIL IN SPL.CASE (POCSO) NO.54/2025 ON THE FILE OF DISTRICT AND SESSIONS JUDGE, FTSC-I (POCSO) KOLAR FOR THE OFFENCES P/U/S 137(2), 64(2)(m), 127(2), 127(3) OF BNS 2023 AND SECTION 4, 6 OF POCSO ACT 2012 AND SECTION 9 OF THE PROHIBITION OF CHILD MARRIAGE ACT, 2006.





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.54 of 2025 pending before the Court of Additional District and Session Judge, FTSC1, Kolar arising out of Crime no.146 of 2025 registered by Srinivasapura Police Station, Kolar District for offences punishable under Section 137(2), 64(2)(m), 127(2), 127(3) of BNS, 2023, Sections 4 and 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act, 2006 is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the petitioner and learned HCGP on behalf of respondent no.1. Respondent no. 2, who is served in the matter has remained unrepresented before this Court.

3. FIR in Crime No. 146 of 2025 was registered by Srinivasapura Police Station, Kolar District, initially for offence punishable under Section 137(2) of BNS, 2023 against the



petitioner herein, based on the first information dated 16.05.2025 received from the respondent no.2, who is the mother of the victim girl, who was then aged 16 years 5 months. During the course of investigation, the petitioner and the victim girl were traced together. Petitioner was arrested on 19.05.2025 and remanded to judicial custody. After completing investigation, charge sheet has been filed against him for the aforesaid offences. His bail application filed before the trial Court. His Special Case(POCSO) No.54 of 2025 was rejected on 29.10.2025. Therefore, he is before this Court.

4. In the first information submitted by the mother of the victim, she has stated that her daughter, aged 17 years, had gone to college on 28.04.2025, but had not returned home. Efforts made to trace her had failed. Therefore, belatedly, first information was submitted on 16.05.2025. During the course of investigation, petitioner and the victim girl were traced together. Petitioner was arrested on 19.05.2025 and remanded to judicial custody.

5. The statement of the victim girl was recorded under Section 183 of BNSS, 2023 by the jurisdictional Magistrate on



09.06.2025. In the said statement, victim girl has stated that she got acquainted with the petitioner and he allegedly had proposed to marry her. In the month of April 2025, she had informed her relatives that she would be going to the college and had gone to Lakshmi Narasimha Swami Temple along with petitioner and got married with him. Thereafter, petitioner took her to Vijayapura and they stayed in a rented house and lived as husband and wife. Subsequently, petitioner started doubting her and he allegedly locked her inside the house while going for work. She has further stated that, she had informed about her plight to the owner of the house. Subsequently, her parents came to Vijayapura and brought back her to the village.

6. The prosecution has recorded the statement of Ramesh, who is said to be the owner of the house, in which, the petitioner and the victim girl were residing. Ramesh has not stated about any ill-treatment meted on victim girl by the petitioner in his house nor has he stated about the victim girl bringing to his notice about the ill-treatment meted on her by the petitioner.



7. Undisputedly, petitioner has no other criminal antecedent. It appears that the victim and the petitioner who were in love got married in a temple and lived together for a considerable period of time in a rented house and had consensual sex. The victim girl was aged about 17 years as on the said date and therefore she had the worldly knowledge about the consequences of her act. Trial in the case is yet to commence. Allegation found in the charge sheet against the petitioner is required to be proved in a full-fledged trial. Under the circumstances, the following:-

ORDER

Criminal petition is allowed.

The petitioner is directed to be enlarged on bail in Special Case (POCSO) No.54 of 2025 pending before the Court of Additional District and Session Judge, FTSC1, Kolar arising out of Crime no.146 of 2025 registered by Srinivasapura Police Station, Kolar District for offences punishable under Section 137(2), 64(2)(m), 127(2), 127(3) of BNS, 2023, Sections 4 and 6 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006, subject to the following conditions:



a) The 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.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**