



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 869 OF 2026

BETWEEN:

1. M. AJAY KUMAR
S/O.MANOHARA,
AGED ABOUT 26 YEARS,
R/AT CHIKKATHAGGALLI VILLAGE,
JADIGENAHALLI HOBLI,
HOSKOTE TALUK,
BENGALURU
RURAL DISTRICT-562 114.
2. MADHU,
S/O. PRAKASH REDDY,
AGED ABOUT 27 YEARS,
R/AT CHIKKATHAGGALLI VILLAGE,
JADIGENAHALLI HOBLI,
HOSKOTE TALUK,
BENGALURU
RURAL DISTRICT-562 114.

...APPELLANTS

(BY SRI. GANESH G. G., ADVOCATE)

AND:

1. STATE BY HOSKOTE POLICE
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BANGALORE-560009.





2. SRI.S.KRISHNAPPA
S/O SADAPPA,
AGED ABOUT 48 YEARS,
R/AT CHIKKATHAGGALLI VILLAGE,
JADIGENAHALLI HOBLI,
HOSKOTE TALUK,
BENGALURU RURAL DISTRICT-562 114.

...RESPONDENTS

(BY SRI.M.V.ANOOP KUMAR HCGP FOR R-1
R-2 SERVED)

THIS CRL.A. IS FILED U/S.14(A)(2) OF SC/ST (POA) ACT, 2015 PRAYING TO (A) SET ASIDE THE ORDER DATED 14.05.2026 PASSED BY THE HONBLE II ADDL DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT, IN CRIME NO.91/2026. (B) ENLARGE THE APPELLANT ON REGULAR BAIL IN CONNECTION WITH CRIME NO.91/2026 DATED 26.04.2026 REGISTERED FOR THE ALLEGED OFFENCE P/US/298 OF BNS 2023, AND SEC.3(1)(t) OF SC/ST (POA) ACT 1989 PENDING ON THE FILE OF THE HONBLE II ADDL DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL JUDGMENT

This appeal has been filed by the appellants who are arrayed as accused No.1 and 2 seeking regular bail in Crime No.91/2026 registered by Hosakote Police Station, Bengaluru District for the offence punishable under Sections 3(1)(t) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 298 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that accused No.1 is the son of accused No.3. Accused No.2 is his nephew. All the accused belong to Reddy community. The allegations made against them are that, all of them defaced the picture of Dr.B.R.Ambedkar with cow dung. Initially, a complaint came to be registered against unknown persons. During the investigation, they have been traced by the respondent - Police. Investigation is under progress. The statement of these appellants have been recorded by the respondent - Police.

3. Submission of the learned counsel for the appellants is that the appellants are innocent of alleged offences, none of the witnesses have seen the said incident.



The alleged incident had taken place on account of enmity between the complainant and the appellants in respect of petty issues and also with respect to the property which was allotted to the wife of respondent No.2. Accused No.3, being the elected member of Gram Panchayat questioned the validity of constructing a shed in the area which is meant for the villagers to put debris.

4. Appellants are in judicial custody since 28.04.2026 and they are earning members of their respective families. They will abide by the conditions to be imposed by this Court in the event of their release on bail. Making such submissions, learned counsel for the appellants prays to allow the appeal.

5. *Per contra*, learned High Court Government Pleader appearing for respondent No.1 - State vehemently opposed the bail application filed by the appellants and submitted that the appellants have committed a heinous offence against the portrait of Dr.B.R.Ambedkar who is known as the "Father of Constitution of India". Defacing such a veteran and eminent person is not only an offence committed against a particular person but against a nation. Therefore, it is not appropriate to



grant relief as prayed for in the said application. Hence, the appeal may be dismissed. Making such submission, the learned High Court Government Pleader prays to dismiss the appeal.

6. Having heard the learned counsel for the respective parties and on perusal of the averments of the complaint as well as the case diary, and the statement of eye-witness recorded. As per the said statement, it would indicate that the appellants and accused No.3 have defaced the portrait of Dr.B.R.Ambedkar by throwing cow dung and he is stated to have identified those persons. However, he did not disclose immediately as he was going to Bangalore. Further, the statement of complainant indicates that these persons defaced the portrait of Dr.B.R.Ambedkar with cow dung.

7. Be that as it may, the appellants are in judicial custody since 28.04.2026. Having considered the gravity and nature of offence, it is appropriate to grant bail to the appellants by imposing suitable bail conditions that will take care of apprehension of the prosecution.

8. Hence, I proceed to pass the following:



ORDER

- i) The Criminal Appeal is ***allowed***.
- ii) The impugned order passed by learned II Additional District and Sessions Judge, Bengaluru Rural District, Bengaluru dated 14.05.2026 is set aside.
- iii) The appellants are directed to be enlarged on bail in Crime No.91/2026 registered by Hosakote Police Station, Bengaluru District for the offences punishable under Sections 3(1)(t) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 298 of Bharatiya Nyaya Sanhita, 2023, subject to the following conditions:
 - a) Appellants shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One lakh only) each with one surety each for the likesum, to the satisfaction of the jurisdictional Court.
 - b) Appellants shall not threaten the prosecution witnesses.
 - c) Appellants shall appear before the Trial Court on all dates of hearing.



- d) Appellants shall not hamper the Court proceedings.
- e) Appellants shall not leave the jurisdiction of the Court till disposal of the case.
- f) Appellants shall not involve in any other criminal cases or such similar cases in future till disposal of the present case.

**Sd/-
(S RACHAIAH)
JUDGE**

GVP-List No.: 1 SI No.: 31