



CNR: KAHC010495402026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[KIRAN R VS. STATE OF KARNATAKA AND ANOTHER]

20.07.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

Learned High Court Government Pleader waives notice for respondent No.1, in both the petitions.

Learned counsel for the petitioner to serve a copy of the petition papers upon the learned High Court Government Pleader, forthwith.

Issue emergent notice to the respondent, returnable by 07.08.2026.

ORAL ORDER ON I.A.NO.1 OF 2026

Heard Sri L.S.Tejasvi Surya, learned counsel appearing for the petitioner in Crl.P.No.10650/2026.

Sri Girish Bharadwaj, learned counsel appearing for the petitioner in Crl.P.No.10649/2026.

The learned State Public Prosecutor - 1 appearing for the State, in both these cases.

2. The petitioner in both these petitions is one and the same. He is a law student who is now ensnared in two separate proceedings, both of which spring from a solitary tweet. The backdrop to the tweet is the tragic killing of a



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young woman in a broad daylight at the Bantwala bus stand. Based on the said incident, the petitioner posts a tweet. The tweet reads as follows.

"Monster with wrist watch on his left hand, pants above his ankles, killed a girl at Bantwal bus stand, Karnataka.

He probably knows that even if they arrest him, Congress will quietly withdraw the case. Be that as it may, just hope the RSS gets registered soon."

3. The brutality of the occurrence is beyond dispute and deserves unequivocal condemnation. In the immediate aftermath of the incident, the petitioner publishes the tweet extracted hereinabove.

4. A careful reading of the tweet would reveal that it describes the assailant as a "monster with a wrist watch on his left hand, pants above his ankles, killed a girl at Bantwala bus stand". Beyond these words the tweet carries no express reference to any religion, community, caste or an identifiable group. It is only after an exercise of interpretation and inference, attempt is made to give it a communal color. This Court is unable to discern, *albeit*, prima facie, from the language employed *supra*, any overt or tacit reference that unmistakably targets a particular community. **The Courts cannot permit criminality to be inferred by imagination when the words themselves refuse to yield such meaning.**



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5. The second limb of the tweet states that the offender “probably knows that even if they arrest him, Congress will quietly withdraw the case”. The learned counsel Sri L.S.Tejasvi Surya would submit that the observation is founded upon a matter of public record, pointing out that a Division Bench of this Court has itself found fault with the withdrawal of criminal cases by the Government. Prima facie, therefore, the statement appears to be founded upon a factual premise.

6. These, therefore, remain too stubborn facts, staring at the record. The former on its plain reading, does not reveal any exhortation against a religious or identifiable group. The latter is a comment on the governmental action.

7. Yet, on the basis of the said tweet, two crimes spring, in Crime No.100 of 2026 before the Bantwala Police Station for offence punishable under Section 353(2) of the BNS and the second, on the same set of facts before the High Grounds Police Station, Bangalore, in Crime No.108 of 2026 for offence punishable under Section 192 of the BNS.

8. The learned State Public Prosecutor-I Sri B. N. Jagadeesha, vehemently opposes grant of any protective order. It is contended that the crimes have been registered barely two days ago, therefore, the petitions are filed even before the ink on the crimes could dry.

9. Ordinarily, this Court would be slow in interdicting investigation, as it is at its nascent stage. Had the impugned tweet borne even a semblance to religious hostility, communal



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animosity or hatred, directed against any class or community, this Court would have permitted the investigating machinery to proceed in accordance with law. The offences are under Section 192 of the BNS/153A of the IPC, 353(2)/505(2) of the IPC. They are undoubtedly designed to preserve communal harmony and punish speech that foments enmity.

10. It is the case of the complainant even that there is no reference to any religious group or identifiable group of persons. Therefore, essential ingredients that is necessary to attract the provisions of the Act are absent in the impugned tweet. In that view of the matter, bearing in mind the principles laid down by the Apex Court in the cases of **JAVED AHMAD HAJAM v. STATE OF MAHARASHTRA** reported in **(2024) 4 SCC 156**, **BILAL AHMED KALOO v. STATE OF A.P.** [**BILAL AHMED KALOO v. STATE OF A.P.** reported in **(1997) 7 SCC 431** and **PATRICIA MUKHIM V. STATE OF MEGHALAYA** [**PATRICIA MUKHIM v. STATE OF MEGHALAYA** reported in **(2021) 15 SCC 35**, this Court deems it fit to interdict further investigation *qua* the petitioner in both these proceedings, until a fuller consideration happens.

11. Therefore, there shall be an interim order of stay of further investigation in Crime No.100 of 2026, registered by the Bantwala Town Police, Bantwala, and in Crime No.108 of 2026, registered by the High Grounds Police, Bengaluru, *qua* the petitioner, till the next date of hearing.



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Tag this petition along with Crl.P.No.10649/2026 and list these matters on **07.08.2026**.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

NVJ

List No.: 3 Sl No.: 6