

(2025) 07 KAR CK 0494

In the Karnataka High Court, Principal Bench

Case No : Criminal Appeal No. 1229 Of 2025 (U/S 14(A) (2))

Dinesh R

APPELLANT

Vs

State By Nelamangala Rural Ps Represented By The State
Public Prosecutor, High Court Of Karnataka, Principal Bench
At Bengaluru, High Court Building, Pin Code 560001 & Ors.

RESPONDENT

Date of Decision : 16-07-2025

Acts Referred:

Citation : (2025) 07 KAR CK 0494

Hon'ble Judges : E.S. Indires, J

Bench : Single Bench

Advocate : Abhishek Malipatil, Sukanya Baliga

Final Decision : Allowed

Judgement

M G Uma, J

1. The appellant -accused No.1 is before this Court seeking grant of bail under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST (POA) Act' for short) in Crime No.167/2025 of Nelamangala Rural Police Station, pending before the learned II Additional District and Sessions Judge, Bengaluru Rural, City Civil Court, Bengaluru, registered for the offences punishable under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(2)(v) of the Act, on the basis of the first information lodged by informant - Pramod M.

2. Heard Sri. Shiju Abraham Verghis, learned Counsel for the appellant and Smt.Rashmi Jadhav, learned Additional SPP for respondent No.1-State. Perused the materials on record.

3. In view of the rival contentions urged by the learned counsel for both the parties, the point that would arise for my consideration is:

"Whether the appellant is entitled for grant of bail under Section 14-A(2) of the

SC/ST (Prevention of Atrocities) Act, 1989?"

My answer to the above point is in 'Affirmative' for the following:

REASONS

4. Crime No.167/2025 of Nelamangala Rural police station came to be registered against the appellant herein for the offence punishable under Sections under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(2)(v) of the Act.

5. It is the contention of the prosecution that the deceased Puneeth is the brother of CW1 and he belongs to a Schedule Tribe. He was residing with one Ramya and CW19, in the house of CW17. The said Ramya came in contact with the accused during 2022 and they had an affair. Ramya insisted the accused to marry her. But since the accused was already married and was having children, he was not ready to marry her. He is said to have abused Ramya that he is not going to marry her and instigated her to go and die. As a result of which, said Ramya committed suicide in a shed by hanging on 24.04.2025. On coming to know about the death of Ramya, deceased Puneeth also committed suicide in the house of CW17 after sending a Whatsapp message and voice messages to CW21, informing about the facts and role played by the accused in abetting the commission of suicide. After investigation, the charge sheet came to be filed for the above said offences.

6. Admittedly, the appellant was apprehended on 25.04.2025, i.e., on the next day of incident. Now the investigation is completed and it is not the contention of the prosecution that the appellant is required for further investigation or for any other reason, except to ensure his presence before the trial. It is also not the contention of the prosecution that the appellants having any criminal antecedents. Under such circumstances, I am of the opinion that the appellant may be granted bail subject to conditions, which will take care of the interest of the prosecution, as well as interest of the complainant and the witnesses.

7. Accordingly, I answer the above point in the affirmative and proceed to pass the following:

ORDER

The appeal is allowed.

The appellant is ordered to be enlarged on bail in Crime No.167/2025 of Nelamangala Rural Police Station, on obtaining the bond in a sum of Rs.2,00,000/- (Rupees Two Lakhs only) with two sureties for the likesum to the satisfaction of the jurisdictional Court, subject to the following conditions:

- a). The appellant shall not commit similar offences.
- b). The appellant shall not threaten or tamper with the prosecution witnesses.
- c). The appellant shall appear before the Court as and when required.

If in case, the appellant violates any of the conditions as stated above, the prosecution will be at liberty to move the Trial Court seeking cancellation of bail.

On furnishing the sureties by the appellant, the Trial Court is at liberty to direct the Investigating Officer to verify the correctness of the address and authenticity of the documents furnished by the appellant and the sureties and a report may be called for in that regard, which is to be submitted by the Investigating Officer within 5 days. The Trial Court on satisfaction, may proceed to accept the sureties for the purpose of releasing the appellant on bail.