

(2026) 08 KAR CK 2095

In the Karnataka High Court, Bengaluru Bench

Case No : CRIMINAL PETITION NO. 9171 OF 2026

Hanumant B.M.

APPELLANT

Vs

The State Of Karnataka & Anr.

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Sections 87, 127(4), 64(2)(m), 137(2)
Protection of Children from Sexual Offences Act, 2012 — Sections 6, 17, 21
Prohibition of Child Marriage Act, 2006 — Sections 9, 11
Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483, 183
Code of Criminal Procedure — Section 439

Citation : (2026) 08 KAR CK 2095

Hon'ble Judges : S Vishwajith Shetty, J

Bench : Single Bench

Advocate : Sri S.G. Rajendra Reddy, Sri Rangaswamy R.

Final Decision : Allowed

Judgement

1. Accused No.1 in Special Case No.95/2026 pending before the Court of Additional District and Sessions Judge, FTSC-I, (POCSO), Shivamogga, arising out of Crime No.262/2025 registered by Bhadravathi Rural Police Station, Shivamogga for offences punishable under Sections 87, 127(4), 64(2)(m) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS 2023'), Sections 6, 17 and 21 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO') and Sections 9 and 11 of Prohibition of Child Marriage Act, 2006, is before this Court under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023') seeking regular bail.

2. Heard the learned counsel for the petitioner and learned HCGP for respondent No.1-State. Respondent No.2, who is served has remained unrepresented.

3. FIR in Crime No.262/2025 was registered by the Bhadravathi Police Station initially for the offence punishable under Section 137(2) of BNS, 2023 against unknown person based on the first information dated 22.12.2025 received from

the respondent No.2, who is the mother of the victim girl, who was aged 16 years 6 months as on the said date. During the course of investigation, petitioner and the victim girl were traced. Petitioner was arrested on 31.01.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against four persons and petitioner is arraigned as accused No.1 in charge sheet. The bail application of the petitioner filed before the Trial Court in Special Case No.95/2026 was rejected on 13.05.2026. Therefore, he is before this Court.

4. In the first information dated 22.12.2025, mother of the victim girl has stated that the victim girl was missing from 12.11.2025. During the course of investigation of the said case, petitioner and the victim girl were traced and after completing investigation, charge sheet is filed as against the petitioner and three others for the aforesaid offences. As per the charge sheet allegations, petitioner and the victim girl were in love and on 23.08.2025, she had left her house and accompanied the petitioner. Subsequently, they got married on 29.08.2025 and thereafter, they were staying in the house of accused No.2 as husband and wife. The statement of the victim girl under Section 183 of BNSS 2023 has been recorded in the present case on 02.02.2026. In the said statement, victim girl has stated that petitioner was acquainted to her and on 23.08.2025, she had accompanied him and thereafter, they got married and were staying in the house of accused No.2.

5. It appears that after the petitioner and the victim had quarreled with each other, subsequently, she had contacted the Police and thereafter, she was brought to her village. Based on the FIR, which was registered in Crime No.262/2025, petitioner was arrested and after completing investigation charge sheet is filed against him for the aforesaid offenses.

6. Considering the aforesaid aspects of the matter, more so the statement of the victim girl under Section 183 of BNSS, 2023, I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following order:

ORDER

i) The criminal petition is allowed.

ii) The petitioner is directed to be enlarged on bail in Special Case No.95/2026 pending before the Court of Additional District and Sessions Judge, FTSC-I, (POCSO), Shivamogga, arising out of Crime No.262/2025 registered by Bhadravathi Police Station, Shivamogga for offences punishable under Sections 87, 127(4), 64(2)(m) of BNS 2023, Sections 6, 17 and 21 of POCSO Act, 2012 and Sections 9 and 11 of Prohibition of Child Marriage Act, 2006, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- 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;
- e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.