

(2026) 08 KAR CK 2088
In the Karnataka High Court, Bengaluru Bench
Case No : CRIMINAL PETITION NO. 8591 OF 2026

Sri.Thimmaraju A.T

APPELLANT

Vs

State By Akkur P S

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

BNSS, 2023 — Section 483
BNS, 2023 — Sections 64(1), 64(2)(f), 64(2)(k)

Citation : (2026) 08 KAR CK 2088

Hon'ble Judges : S Vishwajith Shetty, J

Bench : Single Bench

Advocate : Sri. Harish Prabhu S., Sri. Rangaswamy.R

Final Decision : Dismissed

Judgement

1. This petition under Section 483 of BNSS, 2023, is filed by the accused in S.C.No.47/2026 pending before the Court of III Addl. District & Sessions Judge, Ramanagara, arising out of Crime No.208/2025 registered by Akkur Police Station, Bengaluru South District, for the offences punishable under Sections 64(1), 64(2)(f), 64(2)(k) of BNS, 2023, seeking regular bail.

2. Heard the learned Counsel for the parties.

3. FIR in Crime No.208/2025 was registered by Akkur Police Station, Bengaluru South District, against the petitioner herein based on the first information dated 18.11.2025 received from the wife of the petitioner herein and the mother of the victim girl aged about 23 years. In the said case, petitioner was arrested on 18.11.2025 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 in Crl. Misc. No.77/2026 was rejected on 01.04.2026. Therefore, petitioner is before this Court.

4. Learned Counsel for the petitioner having reiterated the grounds urged in the petition, submits that the relationship of the petitioner with his wife is not

cordial. Therefore, a false complaint has been filed. The medical records of the victim girl do not support the case of the prosecution. Investigation of the case is completed and petitioner who has no other criminal antecedents is in custody for the last more than eight months. Accordingly, he prays to allow the petition.

5. Per contra, learned HCGP who has opposed the petition, submits that petitioner has committed a heinous offence against his daughter who is disabled physically and mentally. The medical records of the victim suggests of the alleged act committed by the petitioner. In the event, he is released on bail, he may tamper with the material charge-sheet witnesses. Accordingly, he prays to dismiss the petition.

6. Perusal of the first information would go to show that petitioner is the husband of the first informant and father of the victim girl who is physically and mentally disabled. On 17.11.2025, when the first informant who had gone out to work returned home, she found that the victim girl who was on her bed inside the room in their house, was being sexually assaulted by the petitioner who was completely naked. It is under these circumstances, FIR was registered against the petitioner for the aforesaid offences.

7. The victim girl was subjected to medical examination immediately after the FIR was registered in the present case. In the medical report of the victim, it is stated that "there are physical signs suggestive of recent sexual intercourse". The opinion of the physician and psychologist is separately enclosed to the medical report of the victim girl. Even the report of the psychologist who had counseled and communicated with the victim girl in sign language, would suggest of sexual assault on her.

8. Petitioner is the father of the victim girl who is physically and mentally disabled and the alleged act committed by him is heinous in nature. As rightly contended by the learned HCGP, in the event the petitioner is enlarged on bail, chances of he tampering with material charge sheet witnesses cannot be ruled out. Trial in the case is yet to commence. Under the circumstances, I am of the opinion that petitioner's prayer for grant of regular bail cannot be entertained at this stage. Accordingly, petition is dismissed.