



CNR: KAHC010404312026

NC: 2026:KHC:41144
CRL.P No. 8591 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 5TH DAY OF AUGUST, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 8591 OF 2026

BETWEEN:

SRI.THIMMARAJU A.T,
S/O LATE THIMMIAH,
AGED ABOUT 45 YEARS,

CURRENTLY RESIDING AT,
NO.17, 6TH CROSS,
RAJU LAYOUT, NETAJI LAYOUT,
NAGADEVANAHALLI,
BENGALURU - 560 056

NATIVE AT,
A.V.HALLI VILLAGE,
V PURA HOBLI,
CHANNAPATNA TALUK
BENGALURU SOUTH DISTRICT

...PETITIONER

(BY SRI. HARISH PRABHU S.,ADVOCATE)

AND:

STATE BY AKKUR P S
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BENGALURU.

...RESPONDENT

(BY SRI. RANGASWAMY.R, HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483
BNNS) PRAYING THAT PLEASED TO PASS AN ORDER
ENLARGING THE PETITIONER ON BAIL IN CRIME NO.208/2025
REGISTERED BY AKKUR POLICE STATION CHANNAPATNA FOR



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THE OFFENCES P/U/S 64(1), 64(2)(f), 64(2)(k) OF BNS (SECTION 376, 376(2)(f)(k) OF IPC) PENDING BEFORE THE HONBLE SR.CIVIL JUDGE AND JMFC CHANNAPATNA.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

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



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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.



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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.



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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.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

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