



CNR: KAHC010376252026

NC: 2026:KHC:41097
CRL.P No. 7908 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. 7908 OF 2026

BETWEEN:

STATE OF KARNATAKA
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001

...PETITIONER

AND:

T.P. ABDUL RAHIM
S/O T.P. ABDUL AZEEZ
AGED ABOUT 41 YEARS
R/A D.NO.10/14/644,
HAJER HOUSE, ANSARI,
2ND CROSS ROAD,
NEAR M.R. NAYAK BANDER,
MANGALURU-575001

...RESPONDENT

(BY SMT. RASHMI JADHAV, ASPP)

THIS CRL.P IS FILED U/S 439(2) CR.P.C (U/S 483(3) BNSS) PRAYING TO CANCEL THE ORDER DTD 02.02.2026 PASSED IN CR.NO.141/2025, ON THE FILE OF THE PRL. DISTRICT AND SESSIONS JUDGE, D.K., MANGALURU, FOR THE OFFENCE P/U/S 483 OF BNSS 2023 AND CANCEL THE SAID ORDER OF BAIL AND ETC.

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

Digitally signed
by C. H. ANNUR
SAB

Location: HIGH
COURT OF
KARNATAKA



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Respondent - State is before this Court in this Criminal Petition filed under Section 483(3) of Bharatiya Nagarik Suraksha Sanhita, 2023, with a prayer to set aside the order dated 02.02.2026 passed in Crime No.141/2025 by the Court of Principal District and Sessions Judge, Dakshina Kannada, Mangaluru, wherein the respondent herein has been granted regular bail.

2. Heard Additional Special Public Prosecutor on behalf of the respondent-State.

3. FIR in Crime No.141/2025 was registered by Mangalore North Police Station, Dakshina Kannada District for offences punishable under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 and in the said case, the respondent herein was arrested and produced before the jurisdictional Court on 12.12.2025.



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4. His bail application filed before the Trial Court in Crime No.141/2025 was allowed on 02.02.2026. Therefore, the State is before this Court.

5. Perusal of the material on record would go to show that seized contraband article allegedly ganja totally weighed 1.262 Kg. in the present case. Respondent who was arrested in the present case was in custody for about 50 days.

6. Considering the fact that the seized contraband article is little more than small quantity and the respondent is suffering from liver and heart related ailments, the Trial Court by a reasoned order has granted regular bail to the respondent subject to certain conditions. The Trial Court has also taken into consideration the antecedents of the respondent-accused while granting bail to him in the present case.

7. The Hon'ble Supreme Court in the case of ***Prabhakar Tewari vs. State of Uttar Pradesh and Another***¹, has held that the criminal antecedents against the

¹ (2020) 11 SCC 648



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accused cannot be a sole ground to deny bail in the event if it is otherwise found that accused is entitled to the relief sought for.

8. It is not the case of the petitioner - State that the respondent has violated any of the bail conditions imposed by the Trial Court in the order impugned, till date.

9. Under the circumstances I am of the opinion that the it is not a fit case to be entertained by this Court. Accordingly, Criminal Petition is ***dismissed***

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

GVP
List No.: 1 Sl No.: 20