



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

**CRIMINAL PETITION No. 12427 OF 2025 (439(Cr.PC) /
483(BNSS))**

BETWEEN:

1. DEVARAJU @ VINITH DEVENDRA @ DEVU

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

...PETITIONER

(BY SRI. YASHWANTH M. FOR
SRI GIRISH B BALADARE, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY BELUR POLICE STATION
HASSAN DISTRICT - 573 201
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BANGALORE - 01.

2. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]





...RESPONDENTS

(BY SRI. MOHD.AYUB ALI, ADDL.SPP)

THIS CRIMINAL PETITION FILED UNDER SECTION 439 CR.P.C (U/S 483 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ALLOW THE PETITION AND ENLARGE THE PETITIONER REGULAR BAIL IN CR.NO.311/2024 REGISTERED BY THE BELUR P.S., HASSAN DISTRICT, FOR THE OFFENCES P/U/S 137(2),75,96,126(2),351(2),64 OF BNS, U/S 6 OF THE POCSO ACT, PENDING ON THE FILE OF ADDL. DISTRICT AND SESSIONS JUDGE, FTSC-I, AT HASSAN IN SPL.C.NO.69/2025.THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, FTSC-1, HASSAN.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by the sole accused under Section 483 of the BNSS praying to grant bail in Crime No.311/2024 of Belur Police Station, registered for offences punishable under Sections 137(2), 75, 96, 126(2), 351(2) and 64 of BNS and Section 6 of POCSO Act, pending in a Spl.C.No.69/2025 on the file of Additional District and Sessions Judge, FTSC-1, Hassan.



2. Heard learned counsel for the petitioner and learned Additional SPP for respondent No.1/State. In spite of service of notice, respondent No.2 remained absent and unrepresented.

3. Learned counsel for the petitioner would contend that petitioner and the victim girl were in love affair and the same has been stated by the victim girl in her statement recorded by the investigating officer and also before the doctor at the time of her examination. The victim girl is aged 15 years as on the date of alleged offence and she is of the age of understanding the consequences of her acts. The petitioner is in judicial custody since 21.12.2024 and as the charge sheet is filed, he is not required for further custodial interrogation. There are no criminal antecedents of the petitioner. With this, he prayed to allow the petition.

4. Per contra, learned Addl.SPP would contend that the victim girl in her statement before the Investigating Officer has stated that the petitioner had forcible sexual



intercourse in a room in a lodge. The victim girl is aged 15 years as on the date of alleged offence. The charge sheet materials show prima-facie case against the petitioner for the offences alleged against him. With this he prayed to reject the petition.

5. Having heard the learned counsels, the Court has perused the charge sheet and other materials placed on record.

6. The case of the prosecution as per charge sheet is that the accused came in contact with CW.2/victim girl and told her that he is loving her and promised to marry her and took her on 18.12.2024 at 07.00 a.m. on his bike and roamed with her and took her to a room in the lodge and had sexual intercourse several times till 07.00 a.m. on 19.12.2024.

7. The date of birth of the victim girl as per her school records is 18.03.2010. The victim girl is aged about 15 years. The victim girl in her statement before the



Investigating Officer has stated that she was in love affair with the petitioner and on coming to know the same the family members of the victim girl have scolded her and she intimated the same to the petitioner. At that time petitioner told her that he will marry her. On 18.12.2024, he took her on bike and roamed with her till evening and took her to a room in a hotel and had sexual intercourse against her will. The victim girl has been examined by the doctor and at the time of examination the victim girl has stated before the doctor that she had affair with the petitioner. They were chatting on phone and on 18.12.2024 he took her to Sumukh Residency, Belur from 08.00 p.m. to 07.00 a.m. and both had consensual sex there.

8. Considering the above aspects, it is clear that the victim is having love affair with the petitioner. The victim girl is of the age of understanding the consequences of her acts. As the charge sheet is filed, the petitioner is not required for further custodial interrogation. The petitioner



is in judicial custody since 21.12.2024. There are no criminal antecedents of the petitioner. Considering the above aspects, the petitioner has made out a case for grant of bail with conditions. In the result, the following:

ORDER

The petition is allowed. The petitioner is granted bail in Spl.C.No.69/2025 (Crime No.311/2024 of Belur Police Station) on the file of Additional District and Sessions Judge, FTSC-1, Hassan, subject to following conditions:

- (i) The petitioner shall execute a personal bond for sum of Rs.1,00,000/- with one surety to the satisfaction of the trial Court.
- (ii) The petitioner shall not tamper the prosecution witnesses either directly or indirectly.
- (iii) The petitioner shall attend the trial Court on all dates of hearing unless



exempted and co-operate for speedy
disposal of the case.

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

DKB
List No.: 1 SI No.: 33