



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12007 OF 2024

C/W

CRIMINAL PETITION NO. 12285 OF 2024

IN CRL.P No. 12007/2024:

BETWEEN:

MR. GOPINATH NAGAR ANTHAL
S/O N.A. NARASIMHULU
AGED ABOUT 61 YEARS
VILLA NO.24, VASWANI
WHISPERTING PALMS 8
2ND CROSS, BALAJI LAY-OUT
MARATHAHALLI, BANGALORE - 560 37
(TH ABOVE ADDRESS IS MENTIONED
AS THE SAME IS MENTIONED IN THE
CHARGE SHEET)
RESIDING AT NO.401
ADARSH MANOR, SHANKAR MUTT
ROAD, SHANKARAPURAM
BENGALURU - 560 004.

...PETITIONER

(BY SRI B.M. MOHAN KUMAR.,ADVOCATE)

AND:

1. STATE BY MARATHAHALLI POLICE
REP BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA BUILDING
BENGALURU - 560 001.
2. SHRAVAN LOGISHETTY
AGED 56 YEARS
S/O L JANARDHAN RAO.
3. SMT. SHREEDEVI LOGISHETTY
W/O SHRAVAN LOGISHETTY





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AGED 56 YEARS.

4. GAURAV LOGISHETTY
W/O SHRAVAN LOGISHETTY
AGED 27 YEARS.

THE RESPONDENTS NO.2 TO 4 ARE
R/AT HOUSE NO. D15, VIKRAMPURI
OPPOSITE APPOLO HOSPITAL
SECUNDERAB, THIRUMALAGIRI
HYDERABAD - 500 015.

...RESPONDENTS

(BY SRI RANGASWAMY R, HCGP FOR R-1;
SRI PRASANNA KUMAR S, ADV., FOR R-2 TO R-4)

THIS CRL.P IS FILED U/S 439(2) CR.PC (FILED U/S 483(3) OF BNSS) PRAYING TO ORDER DATED 22.08.2024 PASSED IN CRL.MISC.NO.6520/2024 BY THE HONBLE COURT OF THE ADDL. CITY CIVIL AND SESSIONS JUDGE AT BENGALURU (CCH-46) REJECTING THE PRAYER OF THE PETITIONER AND DECLINING TO RECEIVED THE STATEMENT OF OBJECTIONS AND DOCUMENTS AND NOT PERMITTING TO ADVANCE THE ARGUMENTS OPPOSING THE ANTICIPATORY BAIL APPLICATION.

IN CRL.P NO. 12285/2024:

BETWEEN:

MR. GOPINATH NAGAR ANTHAL
S/O N A NARASIMHULU
AGED ABOUT 61 YEARS
RESIDING AT NO.401
ADARSH MANOR
SHANKAR MUTT ROAD
SHANKARAURAM
BENGALURU - 560 004.

...PETITIONER

(BY SRI B.M. MOHAN KUMAR, ADV.)

AND:

1. STATE BY MARATHAHALLI POLICE
REP BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA BUILDING



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BENGALURU - 560 001.

2. R.G. SOMASHEKAR GOWDA
S/O RAMEGOWDA
AGED ABOUT 51 YEARS
NO. 124, 1ST B MAIN ROAD
6TH BLOCK, RAJAJINAGAR
BENGALURU - 560 010.

...RESPONDENTS

(BY SRI RANGASWAMY R, HCGP FOR R-1;
SRI M.R. BALAKRISHNA, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 439(2) CR.P.C (U/S 483(3) BNSS) PRAYING TO ORDER DTD 23.09.2024 PASSED IN CRL.MISC.NO.8172/2024 BY THE HONBLE COURT OF THE ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AT BENGALURU REJECTING THE APPLICATION FILED BY THE PETITIONER U/S 24(8) AND 301 OF CR.P.C., AND THEREBY DECLINING TO RECEIVE THE STATEMENT OF OBJECTIONS AND RECORDS SUBMITTED BY THE PETITIONER PRODUCED AT ANNEXURE-D.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. These two petitions under Section 439 (2) of Cr.P.C are filed by the defacto complainant with a prayer to cancel the anticipatory bail granted to accused Nos.2 to 4 and 6 in Crime No.201/2022 registered by Marathahalli Police Station, Bengaluru, for the offences punishable under Sections 306, 506 and 384 of IPC.
2. Heard the learned counsel for the parties.



3. FIR in the present case was filed against Namrata Logi Shetty and five others based on the first information dated 30.08.2022 filed by the petitioner herein, who is the husband of deceased Shanti. Apprehending arrest in the said case, accused Nos.2 to 4 had filed Crl.Misc.No.6520/2024 before the jurisdictional Sessions Court and the same was allowed on 02.09.2024. Assailing the said order, defacto complainant is before this Court in Crl.P.No.12007/2024. Accused No.6 had filed Crl.Misc.No.8172/2024 before the jurisdictional Sessions Court seeking anticipatory bail and the said petition was allowed on 03.10.2024. Assailing the said order, the defacto complainant is before this Court in Crl.P.No.12285/2024.

4. Learned counsel for the petitioner submits that the learned Sessions Judge has not taken into consideration the gravity of the allegations found against the accused and has mechanically granted anticipatory bail to them. He submits that defacto complainant, who had filed an application before the Trial Court seeking permission to oppose the bail application of the accused persons, was not granted proper opportunity by the learned Sessions Judge to address arguments. The



deceased had left behind a death note wherein there is a mention about the name of accused persons, who are the cause for her death. Accused No.6 is a rowdy sheeter and his anticipatory bail application was earlier rejected by the learned Sessions Judge. Subsequently, he had filed a fresh petition before this Court, which was withdrawn and thereafter, a fresh bail application seeking anticipatory bail was filed, which was allowed by the learned Sessions Judge. He submits that in view of the judgment of the Hon'ble Supreme Court in case of ***Jagjeet Singh vs. Ashish Mishra @ Monu and Another - (2022) 9 SCC 321***, the order impugned granting anticipatory bail to respondents-accused cannot be sustained. Accordingly, he prays to allow the petitions.

5. Per contra, learned counsel for respondents/accused Nos.2 to 4 submits that accused No.1 as against whom serious allegations are found in the FIR has been granted anticipatory bail by this Court in Crl.P.No.10075/2022. Assailing the same, the petitioner had approached the Hon'ble Supreme Court in Special Leave Petition (Criminal) Diary No.45235/2025, which has been dismissed by the Hon'ble Supreme Court. He submits



that accused Nos.2 to 4 are the parents and brother of accused No.1 and for extraneous reasons, they have been falsely implicated. Proceedings as against them in Crime No.201/2022 has been stayed by the Co-ordinate Bench of this Court in Crl.P.No.4232/2026. He submits that accused Nos.2 to 4 have complied with the bail conditions. Accordingly, he prays to dismiss the petition.

6. Learned counsel for accused No.6 submits that after accused Nos.2 to 4 were granted anticipatory bail by the learned Sessions Judge, he had withdrawn the bail petition filed before this Court and had approached the learned Sessions Judge. Having regard to change in circumstances, he has been granted anticipatory bail by the learned Sessions Judge. He submits that relationship between accused No.1 and her husband, who is the son of deceased, had failed and matrimonial case was pending prior to deceased committing suicide, Accused No.1 had filed a criminal case against her husband and relatives in Crime No.234/2022 in Basavanagudi Women Police Station, Bengaluru, for the offences punishable under Sections 498A, 504 and 506 of IPC and Sections 3 and 4



of the Dowry Prohibition Act. In the said case, deceased was an accused. He submits that name of accused No.6 was deleted from the rowdy list, pursuant to an order passed by this Court and merely for the reason that he was earlier involved in some criminal cases, it cannot be said that he is not entitled for anticipatory bail in the present case considering the nature of allegations against him. He submits that ordersheet of the Trial Court as well as impugned order would clearly go to show that petitioner was granted sufficient opportunity to put forward his case and as a matter of fact, he had also filed written arguments and documents in support of the arguments addressed by him. Accordingly, he prays to dismiss the petition.

7. Perusal of the material on record would go to show that marriage of petitioner's son with accused No.1 - Namrata Logi Shetty, was solemnized on 03.01.2021. It appears that the relationship between the husband and wife was not cordial and the parties had gone to the police complaining as against each other in the month of June 2022 itself. Subsequently, petitioner's son Sandeep on 13.07.2022 had filed divorce



petition in MC No.4307/2022 before the Court of Principal Family Judge at Bengaluru, seeking dissolution of his marriage with accused No.1. After filing of MC No.4307/2022, accused Namrata had approached Basavanagudi Women Police Station and submitted a complaint against her husband and in-laws based on which, FIR was registered in Crime No.234/2022 for the offences punishable under Section 498A, 504, 506 of IPC and Sections 3 and 4 of the Dowry Prohibition Act. It appears that registration of the said criminal case was published in print and electronic media. Smt. Shanti, wife of the petitioner, who was one of the accused in Crime No.234/2022 committed suicide on 30.08.2022 allegedly leaving behind a death note. It is under these circumstances, FIR was registered against Namrata and five others for the aforesaid offences.

8. Accused Nos.2 to 4 had filed CrI.Misc.No.6520/2024 before the jurisdictional Magistrate seeking anticipatory bail and in the said proceedings, first informant had filed an application seeking permission of the Court to oppose the bail application of accused Nos.2 to 4. The order sheet of the Trial Court as well as the order impugned would reflect that the



petitioner was given opportunity to put forward his case before the Court, which has passed the order impugned. The material on record would go to show that in addition to addressing oral arguments, petitioner has filed his written submissions and also documents in support of his arguments and therefore, the submission now made by learned counsel for the petitioner that petitioner was not given an opportunity of being heard by the learned Sessions judge, who passed the order impugned is not correct. Therefore, reliance placed by the learned counsel for the petitioner in the case *Jagjeet Singh* (supra) is misconceived.

9. Accused Nos.2 to 4, are the parents and brother of accused No.1. Accused No.1 has been granted anticipatory bail by the Co-ordinate Bench of this Court in Crl.P.No.10075/2022. As against the said order, the petitioner had filed Special Leave petition (Criminal) Diary No.45235/2025, before the Hon'ble Supreme Court, which has been now dismissed by the Hon'ble Supreme Court by order dated 15.09.2025.

10. Perusal of the averments in the first information would reveal that allegations as against accused No.1 is more serious



compared to other accused persons. In addition to the same, proceedings as against accused Nos.2 to 4 in Crime No.201/2022 registered by Marathahalli Police Station, Bengaluru, in which they have been granted anticipatory bail vide the order impugned, has been now stayed by the Co-ordinate Bench of this Court in Crl.P.No.4232/2026.

11. Insofar as accused No.6 is concerned, after his anticipatory bail application was initially rejected by the learned Sessions Judge, he had approached this Court in Crl.P.No.6833/2024. During the pendency of the said petition, accused Nos.2 to 4 were granted anticipatory bail by the jurisdictional Sessions Court and accused No.1 was granted anticipatory bail by this Court in Crl.P.No.10075/2022. It appears that under the said circumstances, he had withdrawn his bail application pending before this Court in Crl.P.No.6833/2024 and had filed a fresh anticipatory bail application before the learned Sessions Judge in Crl.Misc.No.8172/2024, which was allowed vide the order impugned. Under the circumstances, it cannot be said that the learned Sessions Judge was not justified in entertaining the



second anticipatory bail application of accused No.6, having regard to the aforesaid change in circumstances. It is brought to the notice of this Court by learned counsel for respondent/accused No.6 that name of accused No.6 was deleted from the rowdy list in terms of the order passed by this Court in WP No.34314/2010 dated 02.02.2012.

12. It is not in dispute that in the earlier criminal cases registered against accused No.6, he was granted bail. Insofar as the present case is concerned, the allegations as against him are not grave enough to refuse bail to him on the ground that he is a person with criminal antecedents.

13. The Hon'ble Supreme Court in the case of ***Prabhakar Tewari vs. State of Uttar Pradesh and Another - (2020) 11 SCC 648***, has observed that merely for the reason that a person has certain criminal antecedents, his prayer for bail cannot be rejected solely for the said reason.

14. A reading of the order impugned granting anticipatory bail to accused Nos.2 to 4 and 6 would go to show that learned Sessions Judge has applied his mind to the facts and



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circumstances of the case and by a reasoned order granted anticipatory bail to them. It is not in dispute that accused persons have complied with the bail conditions found in the order impugned. Under the circumstances, I do not find any good ground to entertained these two petitions. Accordingly, petitions are ***dismissed***.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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List No.: 1 SI No.: 38