IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO.1647 OF 2026

BETWEEN:

SRI. VEDHAMURTHY G
S/O GIRISHA D.P.
AGED ABOUT 35 YEARS,
R/AT NO.303, GLOBAL VISTA APARTMENT,
PATTANAGERE MAIN ROAD,
R.R. NAGARA, BENGALURU-560098
PERMANENT ADDRESS:
DODDAYACHANAHALLI VILLAGE,
BHOOKANAKERE HOBLI,
K.R. PETE TALUK, MANDYA DISTRICT-571426

...APPELLANT

(BY SRI. VEERANNA G. TIGADI, ADV.)

AND:

1. STATE OF KARNATAKA BY
DCRE POLICE STATION,
K.R. PETE RURAL POLICE STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.

2. SRI. JAYARAMU M.R.
S/O LATE RAMAIAH,
AGED ABOUT 57 YEARS,
R/AT MAMBHAHALLI VILLAGE,
KRISHNARAJPET, MANDYA-571426

...RESPONDENTS

(BY SRI. K. NAGESHWARAPPA, HCGP. FOR R1,
SRI. HARIPRASAD M. B., ADV. FOR R2.)

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LAKSHMINARAYAN N
Location: High Court
of Karnataka

CRL.A. FILED U/S 14(A)(2) OF SC/ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT/S PRAYING THAT THIS HONBLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 22.09.2026 ON BAIL APPLICATION FILED BY THE ACCUSED / APPELLANT U/S 483 OF BNSS 2023 PASSED BY THE HON'BLE V ADDL. DISTRICT AND SESSIONS JUDGE, MANDYA.

THIS APPEAL HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 14.10.2026 AND COMING ON FOR "PRONOUNCEMENT OF ORDERS" THIS DAY, THE COURT, DELIVERED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

CAV JUDGMENT

The appellant/accused has preferred this appeal against the order dated 22.09.2026 passed in Crime No.251 of 2026 by the V Additional District and Sessions Judge, Mandya (for short the "trial Court").

2. Brief facts, leading to this appeal are that on the basis of the complaint filed by Sri Jayaram M.R. s/o late Ramaiah, K.R. Pete Rural Police have registered case in Crime No.251 of 2026 against the accused for the offence punishable under Sections 3(1)(r), 3(1)(u) and 3(1)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and submitted FIR to the Court on 05.09.2026. The accused was arrested on 06.09.2026 and produced before the Court and was remanded to judicial custody. Application was

filed under Section 483 of BNSS, 2023, which came to be rejected by the trial Court. Being aggrieved by the same, appellant has preferred this appeal.

3. The appellant has urged following grounds:

That the appellant/accused is innocent and the complainant police have falsely implicated him in the above case. It is submitted that the appellant/ accused, neither directly nor indirectly, was involved in the offence. It is submitted that it is relevant to note that, the accused/appellant has not scolded any individual in the social media. It is submitted that the accused/appellant has expressed his view with regard to the reservation of caste. Except such expression about the reservation in caste, there is no other incriminating material to attract the trail against the appellant/ accused. It is submitted that, neither of the Sections of Atrocities mentioned in the F.I.R., attract to the appellant/accused and neither of the Sections are punishable with death or imprisonment for life. In the remand application, the respondent No.1 police have shown that there are three similar cases against the very same accused/appellant in different police stations with regard to the Atrocities Act. Among them Spl.C.No.255/2025 is registered against the parents of accused/appellant and there is no role of

the accused in the said case. Further, in Crime No.267/2025 registered by the R.R. Nagar Police under Section 299 BNS, 2023 is a previous case and accused has been enlarged on bail in the said case. Further, Crime No. 488/2026 registered by the Hebbagodi Police Station is a replica of the Crime No.251 registered by the Respondent No. No.1 police with same set of facts and circumstances. Therefore, the Respondent No.1-Police have intentionally targeted the accused/appellant into the web of crime and have labeled him as a 'habitual offender', which is totally false. The accused/appellant is a Software Engineer by Profession and his career will be spoiled if he is in judicial custody. The appellant/accused undertakes that, he will not tamper the prosecution witnesses in any manner. The appellant/accused is the sole bread earner of his family having wife and two daughters, aged 06 years and 1½ years. Till the appellant's guilt is proved by the prosecution in a full-fledged trial, the appellant is innocent and is entitled for bail. If the prosecution proves its case the appellant will face the consequences in the trial. The appellant/accused is ready and willing to abide by any condition this Court may impose.

4. Respondent No.2 appeared through his Counsel and filed statement of objection in which it is stated as under:

Respondent No. 2 is the first informant in Crime No.251/2026 of K.R. Pete Rural Police Station (now investigated by the DCRE Police Station, Mandya) and belongs to the Adi Karnataka community, a Scheduled Caste. He is a "victim" within the meaning of Section 2(1)(ec) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and is entitled as of right to notice of, and to be heard in the present bail proceeding under Sections 15A(3) and 15A(5) of the SC/ST (PoA) Act, which are mandatory as held by Hon'ble Supreme Court in HARIRAM BHAMBHI v. SATYANARAYAN. It is submitted that the appeal is devoid of merit, is founded on suppression and statement of material facts, and is liable to be dismissed in limine. Every averment in the memorandum of appeal that is not specifically admitted herein is denied as false. This is a statutory appeal under Section 14-A(2) of the SC/ST (PoA) Act against a reasoned order of the Special Court refusing bail. The appellant has not pointed out any illegality, perversity or non-consideration of relevant material in the impugned order dated 22.09.2026. The learned Special Judge has considered every factor relevant to the grant of bail as laid down by the Hon'ble Supreme Court in PRASANTA KUMAR SARKAR v. ASHIS CHATTERJEE, viz. the existence of a prima facie case, the nature and gravity of the

accusation, the antecedents of the accused, the likelihood of repetition of the offence, the apprehension of tampering with evidence and influencing witnesses, and the stage of investigation. A well-reasoned discretionary order calls for no interference in appeal. The appeal is filed within four days of the impugned order, without any change in circumstances. The learned Special Judge expressly reserved liberty to the appellant to move afresh, only upon a change in circumstance. No such change is pleaded or exists. The appeal is a mere re-agitation of the very grounds that were considered and rejected. It is further submitted that reference to Section 483 of the BNSS, 2023 in the cause title is mis-conceived. Where an offence under the SC/ST (PoA) Act is alleged and the Special Court has refused bail, the only remedy provided by Parliament is an appeal under Section 14-A(2), which opens with a non-obstante clause. The appellant cannot invoke the original bail jurisdiction of this Hon'ble Court under Section 483 of BNSS, 2023 in combination with the statutory appeal so as to seek a fresh consideration de novo. The scope of this appeal is confined to testing the legality and propriety of the impugned order.

4.1. Further, it is submitted the appellant has suppressed the material facts. He has suppressed the Crime No. 233 of 2026 registered against him. The appellant had made false statement that he has no role in Special case No.255/2025. Further, it is stated that the respondent No.2 has made out a prima facie case against the accused and the investigation is not completed. The appellant was arrested on 06.09.2026. In his voluntary statement, he has disclosed that he recorded the video himself while seated in a car on Bengaluru-Mysuru Road and uploaded it to the social media. The Car bearing registration No.KA-53/C-8852 and his Samsung mobile phone have been seized. The appellant is a habitual offender, and he has repeated commission of similar offences. The Hon'ble Supreme Court has repeatedly held that the criminal antecedents of an accused, and his potential to repeat the offence, must be weighed before bail is granted and that ignoring them, vitiates the exercise of discretion (NEERU YADAV v. STATE OF UP; ASH MOHAMMAD v. SHIV RAJ SINGH; SUDHA SINGH v. STATE OF UP). The appellant's videos have provoked protests by Dalit and progressive organizations across the State and complaints continue to be received from different parts of Karnataka. The learned Special Judge has found that the appellant's acts are causing disharmony between different

sections of society and hindrance to public tranquility. Releasing the appellant at this stage, carries a real risk of renewed provocation and of breach of public order. Respondent No.2 is an elderly member of schedule caste community residing in the village in K.R. Pete Taluk, where the applicant's family is native and influential. The learned special Judge has found that the appellant is strong in money and muscle power and that there is every chance of witness being tampered with. Section 15A(1) of the SC/ST (PoA) Act, casts a duty on the State and on Courts to protect victims and witnesses against intimidation, coercion and inducement. Appellant is a highly qualified software professional and also has the opportunity to leave the country. His presence for investigation and trial cannot be secured by mere undertakings. The trial Court has passed a well-reasoned order and absolutely there are no grounds to interfere with the same. On all these grounds, it is sought to dismiss the appeal.

5. I have examined the material placed before this Court. On the basis of the complaint, K.R. Pete Police have registered a case in Crime No.251 of 2026 against the accused for the offence punishable under Sections 3(1)(r), (u) and (v) of the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Amendment Act, 2015. The alleged offences are not punishable with death or imprisonment for life. The trial Court has rejected the bail application on the ground that the accused is a Software Engineer; there is apprehension of the prosecution that the appellant/accused is capable of destroying the digital evidence against him. Further, the trial Court has mentioned other cases registered against the present appellant in Crime No.255/2026, 488/2026 and 267/2025. The accused is in judicial custody since the date of his arrest, ie. 06.09.2026. Mere registration of cases against the accused is not a ground to reject the bail application. Though cases are registered against the present appellant/accused, same are not tried and appellant is not convicted for any offences alleged against him.

6. The Investigating Officer has already submitted the charge sheet against the accused for offences punishable under Sections 352, 3(5) of BNS, 2023 and under Sections 3(1)(r) and (s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. The accused is not required for any further investigation.

7. Considering the nature and gravity of offence and keeping in mind the decisions relied upon by both the learned

counsels, I am of the opinion that it is just and proper to allow this appeal on stringent conditions. Accordingly, I proceed to pass the following:

O R D E R

i. Appeal is allowed;

ii. Impugned Order dated 22.09.2026 passed in Crime No.251 of 2026 by the V Additional District and Sessions Judge, Mandya, is set aside. Consequently, application filed under Section 483 of BNSS, 2023, is allowed;

iii. Appellant shall be released on bail upon executing the self-bond for Rs.50,000/- with one surety for the likesum to the satisfaction of the trial Court;

iv. Appellant shall not tamper or threaten the prosecution witnesses in any manner;

v. The appellant shall not indulge in any similar offences;

vi. If the appellant violates any of the bail conditions, the State/Victim are at liberty to file necessary application before the trial Court for cancellation of bail;

vii. If such application is filed for cancellation of bail, the trial Court shall provide an opportunity to the accused/appellant and thereafter, shall proceed with the case in accordance with law.

Registry is directed to send copy of this Order to the concerned Court.

Sd/-
(G BASAVARAJA)
JUDGE

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