



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

**CRIMINAL PETITION No. 17346 OF 2025 (439(Cr.PC) /
483(BNSS))**

BETWEEN:

SRI NATESH KUMAR
AGED ABOUT 33 YEARS
S/O LATE VISHWANATH
R/AT SHIVA NILAYA
15TH CROSS, MANGALA NAGAR
KUDUPU, MANGALURU, D.K DISTRICT
PIN CODE - 575 028.

...PETITIONER

(BY SRI ARUNA SHYAM M SENIOR ADVOCATE;
ALSO SRI. NISHANTH S K)

AND:

THE STATE OF KARNATAKA
THROUGH MANGALURU RURAL PS
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
HIGH COURT BUILDING
BENGALURU- 560 001.

...RESPONDENT

(BY SRI MOHD AYUB ALI, ADDL. SPP)

THIS CRL.P IS FILED UNDER SECTION 439 Cr.PC
(FILED UNDER SECTION 483 BNSS) PRAYING TO ALLOW
THIS CRL.P AND DIRECT THE RESPONDENT MANGALURU



RUARL P.S. TO ENLARGE THE PETITIONERS ON REGULAR BAIL IN CONNECTION WITH CR.No.37/2025 (ON THE FILE OF THE LEARNED VI ADDL.DISTRICT AND SESSIONS JUDGE, D.K MANGALURU IN S.C.NO.115/2025) REGISTERED BY RESPONDENT MANGALURU RURAL P.S. FOR THE ALLEGED OFFENCE PUNISHABLE UNDER SECTIONS 189(2), (4), 191(2) (3), 115(2), 118(2), 103(2), 238, 23, 240, 352 R/W 190 OF BNS THE VI ADDL.DISTRICT AND SESSIONS JUDGE, D.K MANGALURU.

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 petitioner –accused No.4 under Section 483 of BNSS praying to grant bail in Crime No.37/2025 of Mangaluru Rural Police registered for offences punishable under Sections 189(2), (4), 191(2), (3), 115(2), 118(2), 103(2), 238, 23, 240, 352 read with Section 190 of BNS pending in S.C.No.115/2025 on the file of VI Additional District and Sessions Judge, D.K. Mangluru.



2. Heard learned Senior Counsel for the petitioner and learned Additional SPP for the respondent – State.

3. Learned Senior Counsel for the petitioner would contend that as unknown person who entered the stadium and uttered the slogan “Pakistan Pakistan Zindabad”. The players and persons who are watching the match have thought that he is supporting Pakistan, chased him, assaulted with hands and club and caused his death. At the most, the offence which is attracted is 304(1) and not 302 of IPC. As the charge sheet is filed, the petitioner is not required for further custodial interrogation. The petitioner is in judicial custody since 29.04.2025. Accused Nos.6 to 10, 12 to 21 have been granted bail by the Sessions Court. With this, he prays to allow the petition.

4. *Per contra*, learned Additional SPP for the respondent –State would contend that the role of this petitioner is that he and accused No.3 got chilly powder from their house and threw it in the eyes and body of the



deceased. They instigated other accused to assault the deceased and they also assaulted the deceased. The charge sheet materials show *prima facie* case against the petitioner for offences alleged against them. With this, he prayed to reject the petition.

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

6. As per column No.17 of the charge sheet, a cricket match was going on in ground in which deceased entered and he uttered slogan "Pakistan Pakistan Zindabad". At that time the persons who were playing cricket match and persons who were watching the cricket match chased and assaulted the said deceased with hands and club and caused his death. The assault made by the club is by accused Nos.1, 2, 16 and 17. The other accused stated to have assaulted with the hands and kicked the deceased. The accused persons who have assaulted the deceased with club i.e., accused Nos.16 and 17 have been



granted bail by the Sessions Court. The petitioner is in judicial custody since 29.04.2025 and as the charge sheet is filed, this petitioner is not required for further custodial interrogation. There are no criminal antecedents of the petitioner. Considering the above aspects, the petitioner has made out case for grant of bail with conditions.

7. In the result, the following

ORDER

- i) The petition is **allowed**.
- ii) The petitioner is granted bail in S.C.No.115/2025 arising out of Crime No.37/2025 of Mangaluru Rural Police Station pending on the file of VI Additional District and Sessions Judge, D.K. Mangaluru subject to following conditions:
 - a) The petitioner –accused No.4 shall execute a personal bond for a sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of trial Court.



- b) The petitioner -accused No.4 shall not tamper the prosecution witnesses either directly or indirectly.
- c) The petitioner -accused No.4 shall attend the trial Court on all dates hearing unless exempted and co-operate for speedy disposal of the case.

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

DSP
List No.: 1 Sl No.: 14
Ct.sm