



NC: 2025:KHC:39620
CRL.P No. 12940 of 2025
C/W CRL.P No. 12867 of 2025
CRL.P No. 12917 of 2025
AND 3 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 12940 OF 2025

C/W

CRIMINAL PETITION NO. 12867 OF 2025

CRIMINAL PETITION NO. 12917 OF 2025

CRIMINAL PETITION NO. 12936 OF 2025

CRIMINAL PETITION NO. 12944 OF 2025

CRIMINAL PETITION NO. 13166 OF 2025

IN CRL.P. No. 12940/2025:

BETWEEN:

PRAMODH K
C/O KUMAR V
AGED ABOUT 20 YEARS,
RESIDING AT: S.M. ENTERPRISES,
BASAVANTHAPURA MAIN ROAD,
K.R. PURAM, BENGALURU-560 085.

...PETITIONER

(BY SRI GIRISH R., ADVOCATE)

AND:

STATE OF KARNATAKA
BY CYBER CRIME PS BENGALURU
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT





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(BY SMT. PUSHPALATHA B, ADDL. SPP FOR R1
SRI SHESHA KARTHIK REDDY, ADVOCATE
FOR DEFACTO COMPLAINANT)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439
(FILED U/S. 483 BNSS) Cr.P.C PRAYING TO GRANTING BAIL
THEREBY DIRECTING THE RESPONDENT CYBER CRIME POLICE,
BENGALURU TO RELEASE THE PETITIONER/ACCUSED NO.7 IN
CRIME NO.30/2025 PENDING ON THE FILE OF THE HON'BLE
45th ACJM, BENGALURU CITY FOR THE ALLEGED OFFENCE
PUNISHABLE UNDER SECTION 67, 66(C) OF IT ACT AND
SECTION 351(2), 351(3), 352, 75(1)(iv), 79 OF BNS 2023.

IN CRL.P. NO.12867/2025:

BETWEEN:

SRI VIKAS B A
AGED ABOUT 28 YEARS
S/O ANANDA POOJARI,
R/A NO.428, NILUVAGILU,
KOPPA,
CHIKKAMAGALURU – 577 120.

PRESENTLY RESIDING AT
NEAR CORNER HOUSE,
OPP: MAFL SCHOOL,
3RD CROSS, 3RD STAGE,
BASAVESHWARANAGAR
BENGALURU-560 079.

...PETITIONER

(BY SRI. SATYANARAYAN CHALKE, ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY CYBER CRIME POLICE STATION,
BENGALURU-560 001,



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REPRESENTED BY ITS SPP
HIGH COURT OF KARNATAKA BUILDING
DR. B.R. AMBEDKAR VEEDHI
BENGALURU-560 001.

...RESPONDENT

(BY SMT. PUSHPALATHA B., ADDL. SPP
SRI SHESHA KARTHIK REDDY, ADVOCATE
FOR DEFACTO COMPLAINANT)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 Cr.PC (FILED U/S 482 BNSS) PRAYING TO ENLARGE HIM ON ANTICIPATORY BAIL, IN THE EVENT OF HIS ARREST, IN CRIME NO.30/2025 FOR THE OFFENCES PUNISHABLE UNDER SECTION 351(2), 351(3), 352, 75(1)(iv), 79 OF BNS SECTION 67, 66(C) OF INFORMATION TECHNOLOGY ACT, 2008, FILED BY THE CYBER CRIME POLICE STATION, BENGALURU.

IN CRL.P. NO.12917/2025:

BETWEEN:

MANJUNATH
C/O SMT. NEELAMMA
AGED ABOUT 22 YEARS
RESIDING AT: SINGANALA VILLAGE
SIDDAPURA HOBLI
GANGAVATHI TALUK
KOPPAL DISTRICT-583 282.

...PETITIONER

(BY SRI. GIRISH R., ADVOCATE)

AND:

STATE OF KARNATAKA
BY CYBER CRIME PS
BENGALURU
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR



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HIGH COURT BUILDING
BENGALURU-560 001.

...RESPONDENT

(BY SMT. PUSHPALATHA B., ADDL. SPP
SRI SHESHA KARTHIK REDDY, ADVOCATE
FOR DEFACTO COMPLAINANT)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 CR.P.C (U/S 483 BNSS) PRAYING TO PASS AN ORDER GRANTING BAIL THEREBY DIRECTING THE RESPONDENT CYBER CRIME POLICE, BENGALURU TO RELEASE THE PETITIONER/ACCUSED NO.6 IN CRIME NO.30/2025, PENDING ON THE FILE OF THE HON'BLE 45th ACJM, BENGALURU CITY, FOR THE OFFENCES PUNISHABLE UNDER SECTION 67, 66(C) OF I.T ACT, AND SECTION 351(2), 351(3), 352, 75(1)(iv), 79 OF BNS, 2023.

IN CRL.P. NO. 12936/2025:

BETWEEN:

RAJESH C Y @ RAJESH
C/O YOGARAJA,
AGED ABOUT 23 YEARS,
RESIDING AT: NO.6/4, 3RD FLOOR,
2ND CROSS, DWARAKA NAGARA,
NEAR HOSKEREHALLI PETROL BUNK,
PES COLLEGE, HOSKEREHALLI,
BENGALURU-560 085.

PERMANENT R/AT:
CHIKKANGALA KADURU TALUK,
CHIKKANGALA POST, KADURU DISTRICT,
CHIKKAMAGALURU-577 548.

...PETITIONER

(BY SRI. GIRISH R., ADVOCATE)



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AND:

STATE OF KARNATAKA
BY CYBER CRIME PS
BENGALURU
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT

(BY SMT. PUSHPALATHA B, ADDL. SPP
SRI SHESHA KARTHIK REDDY, ADVOCATE
FOR DEFACTO COMPLAINANT)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO GRANT BAIL THEREBY DIRECTING THE RESPONDENT CYBER CRIME POLICE, BENGALURU TO RELEASE THE PETITIONER/ACCUSED NO.3 IN CRIME NO.30/2025 PENDING ON THE FILE OF THE HON'BLE 45TH ACJM JUDGE, BENGALURU CITY FOR THE OFFENCE PUNISHABLE UNDER SECTION 67, 66(C), OF I.T ACT AND SECTION 351(2), 351(3), 352, 75(1)(iv), 79 OF BNS, 2023.

IN CRL.P. NO. 12944/2025:

BETWEEN:

1. OBANNA T
S/O THAMMAIAH
AGED ABOUT 25 YEARS,
RESIDING AT: NO.83
KUMATHI VILLAGE,
KODLAGI TALUK
VIJAYANAGAR - 583 126.



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2. GANGADHAR K M
S/O MUNINANJAPPA
AGED ABOUT 19 YEARS,
RESIDING AT: KUMBALAGANAHALLI,
HEMARANAHALLI,
CHIKKABALLAPURA-562 102.

...PETITIONERS

(BY SRI. GIRISH R., ADVOCATE)

AND:

STATE OF KARNATAKA
BY CYBER CRIME PS,
BENGALURU
NOW REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560 001.

...RESPONDENT

(BY SMT. PUSHPALATHA B., ADDL. SPP
SRI SHESHA KARTHIK REDDY, ADVOCATE
FOR DEFACTO COMPLAINANT)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439
(FILED U/S. 483 BNSS) CR.P.C PRAYING TO GRANT BAIL
THEREBY DIRECTING THE RESPONDENT CYBER CRIME POLICE,
BENGALURU TO RELEASE PETITIONER NO.1 AND 2/ACCUSED
NO.1 AND 2 IN CRIME NO.30/2025 PENDING ON THE FILE OF
THE HON'BLE 45th ACJM JUDGE, BENGALURU CITY FOR THE
ALLEGED OFFENCE PUNISHABLE UNDER SECTION 67, 66(C) OF
I.T. ACT AND SECTION 351(2), 351(3), 352, 75(1)(iv), 79 OF
BNS 2023.

IN CRL.P. NO. 13166/2025:

BETWEEN:

CHINMAY S SHETTY
S/O M SHIVAKUMAR



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AGE ABOUT 18 YEARS
R/AT: KAPILA EXTENSION
NANJANGUD TALUK
HULLAHALLI, MYSORE,
KARNATAKA-571 314.

...PETITIONER

(BY SRI. SHARATH S. GOWDA, ADVOCATE)

AND:

THE STATE OF KARNATAKA
CYBER CRIME POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA BUILDING
BENGALURU-560 001.

...RESPONDENT

(BY SMT. PUSHPALATHA B., ADDL. SPP
SRI SHESHA KARTHIK REDDY, ADVOCATE
FOR DEFACTO COMPLAINANT)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439
(FILED U/S. 483 BNSS) CR.P.C PRAYING TO ENLARGE THE
PETITIONER ON REGULAR BAIL IN CRIME NO.30/2025 OF
CYBER CRIME POLICE STATION FOR THE ALLEGED OFFENCE
PUNISHABLE UNDER SECTION 67, 66(C) OF INFORMATION
TECHNOLOGY ACT, 2000 AND SECTION 351(2), 351(3), 352,
75(1)(iv), 79 OF BNS 2023 PENDING ON THE FILE OF THE 45TH
ACJM BENGALURU CITY.

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



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CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

Crl.P.No.12940/2025 is filed by accused No.7,
Crl.P.No.12917/2025 is filed accused No.6,
Crl.P.No.12936/2025 is filed by accused No.3,
Crl.P.No.13166/2025 is filed by accused No.11,
Crl.P.No.12944/2025 is filed by accused Nos.1 and 2 under
Section 483 of BNSS, 2023, seeking bail and
Crl.P.No.12867/2025 is filed by the petitioner seeking
anticipatory bail.

2. All the petitions are filed seeking bail/anticipatory
bail in Crime No.30/2025 of Cyber Crime Police Station,
Bangalore, registered for offences punishable under
Section 67, 66(C) of Information Technology Act, 2000,
Sections 351(2), 351(3), 352, 75(1)(iv), 79 of BNS, 2023.

3. Heard learned counsels appearing for petitioners
and learned Additional SPP, who is assisted by the counsel
for defacto complainant.



4. The counsels for petitioners would contend that the offences under Section 351(2), 351(3), 352, 79 of BNS are bailable and Section 67 and 66(C) of Information Technology Act, 2000 are also bailable and only one offence which is non-bailable is Section 75(1)(iv) of BNS and that is punishable with imprisonment for one year. As the offence has been taken place through online account, there is no question of any tampering with the investigation. The major portion of the investigation is already completed. Accused No.11 is aged 18 years old and a student. As the complainant is a powerful person and there is no question of any threatening or threat by the petitioners. Accused No.6 is also a student of Nursing. The petitioners are young boys and they are followers of Actor Darshan. Counsel for Accused No.11 has placed reliance on the decision of Hon'ble Appex Court in the case of **Satendar Kumar Antil vs CBI and Another, (2022) 10 SCC 51**, contending that if the offence is punishable



for less than seven years, without grounds, the person cannot be arrested.

5. Learned counsel for petitioner in Crl.P.No.12867/2025 would contend that the Instagram ID standing in his name is at Sl.No.29 of the first information and therefore, he apprehends his arrest and his petition for anticipatory bail has been rejected on merits by the Sessions Court. He further submits that when a notice is issued under Section 35(3) of the BNSS, if a person to the said notice appears before the Investigating Officer, he cannot be arrested. But the investigation papers and the contentions reveal that the accused persons who appeared pursuant to the notice have been arrested. He contends that Section 75(1)(iv) of BNS is not a offence but it is a definition and punishment for the said offence is under Section 75(3) and that is not forthcoming in the FIR. With these, all pray for grant of bail/anticipatory bail.



6. Per contra, learned additional SPP would contend that the first informant is a former MP and considering the same, question arises whether the matter requires to be referred to the Special Bench. She further submits that as charge sheet has been filed and considering the same, there are serious allegations against the petitioners. In the messages sent by the petitioners to the first informant, there are serious allegations of threat to commit murder and rape. She contends that there are chances of the petitioners tampering with prosecution witnesses and threatening the first informant. On these grounds, she prayed for dismissal of all the petitions.

7. Having heard the learned counsels, the Court has perused the FIR, complaint and other materials placed on record.

8. All the petitioners are having Instagram account in their names. It is alleged that they sent message to the first informant containing vulgar language, threat etc., by



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using account standing in their names. The offences alleged against the petitioners under Sections 351(2), 351(3), 352, 79 of BNS and Section 67, 66(C) of Information Technology Act are bailable offences and punishment provided for those offences is less than 7 years. So only offence defined in Section 75(1)(iv) of BNS is non-bailable offence and the punishment provided for the said offence is imprisonment for one year. The said offence is making coloured sexual remarks. The said coloured sexual remarks is alleged to have been made by the petitioners by using their Instagram account through phones. The phones of accused persons have been seized and sent to FSL for examination. Considering the same, the custodial interrogation of petitioners is not required. The Additional SPP has submitted that charge sheet has been filed and considering the same the presence of these petitioners is not required for investigation. Considering the above aspects, the petitioners are young aged



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between 18 to 25 years have made out ground for grant of bail/anticipatory bail.

9. The bail/anticipatory bail petitions have been rejected by the Sessions Court and not by the Special Court dealing with offences by and against elected representatives. Therefore, the contention of learned Additional SPP regarding referring these petitions to the Special Bench does not arise. In view of the above, the following:

ORDER

All the criminal petitions are allowed.

Accused Nos. 1, 2, 3, 6, 7 and 11 are granted bail and the petitioner in CrI.P.No.12867/2025 is granted anticipatory bail in Crime No.30/2025 of Cyber Crime Police Station, Bangalore City, registered for the offence punishable under Sections 67, 66(C) of Information Technology Act, 2000, Sections 351(2), 351(3), 352,



75(1)(iv), 79 of BNS, 2023, subject to following conditions.

- (i) Petitioners/Accused Nos. 1, 2, 3, 6, 7 and 11 shall execute personal bond for a sum of Rs.1,00,000/- (Rupees one lakh) each, with one surety for the like sum to the satisfaction of the jurisdictional court.
- (ii) Petitioner in Crl.P.No.12867/2025 shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh) with one surety for the likesum to the satisfaction of IO/jurisdictional Court within two weeks from this date.
- (iii) Petitioners shall not threaten the first informant or any other prosecution witnesses.
- (iv) Petitioners shall co-operate with the investigating officer, if investigation is not yet completed.
- (v) Petitioners shall appear before Jurisdictional Court on all dates of hearing unless



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exempted and co-operate in speedy disposal of the case registered against them.

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

DKB
List No.: 1 Sl No.: 31
Ct.sm