

# Hanamegouda vs State Of Karnataka And Anr on 12 March, 2025

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NC: 2025:KHC-K:1613  
CRL.P No. 201659 of 2024

IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 12TH DAY OF MARCH, 2025

BEFORE  
THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 201659 OF 2024  
(439(Cr.PC)/483(BNSS))

BETWEEN:

HANAMEGOUDA S/O RAMANAGOUDA,  
AGED ABOUT 50 YEARS,  
OCC: H.M. OF GOVT HIGH SCHOOL ANAPUR,  
R/O. ANAPUR VILLAGE, GURUMITKAL TALUK,  
YADGIRI-585214.

...PETITIONER

(BY SRI K. DIWAKAR, SENIOR COUNSEL FOR  
SRI HITESH GOWDA B. J., ADVOCATE)

AND:

Digitally signed  
by RENUKA  
Location: HIGH  
COURT OF  
KARNATAKA

1. STATE OF KARNATAKA,  
BY GURUMITKAL PS,  
REP BY ADDL. STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA.
2. MANJUNATH H.T S/O TIMMAYYA,  
AGED ABOUT 59 YEARS,  
OCC: DEPUTY DIRECTOR (ADMINISTRATION),  
R/O. OF VIVEKANAND NAGAR, MYSORE,  
NOW R/O. LAXMI NAGAR, COLONY,  
YADGIR-585201.

...RESPONDENTS

(BY SRI JAMADAR SHAHABUDDIN, HCGP FOR R1 AND R2)

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CRL.P No. 201659 of 2024

THIS CRL.P. IS FILED U/S. 439 OF CR.P.C (OLD), 483 OF BNSS (NEW), PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CRIME NO. 04/2024 IN SPL.CASE NO.65/2024 OF GURUMITAKL POLICE STATION, PENDING ON THE FILE OF HON'BLE DISTRICT AND SESSION JUDGE YADGIR, FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTION 354, 354(A), 354(D), 109, 376(2)(b)(f), 376(3), OF THE IPC R/W SECTION 4,5(c)(f), 6, 8, 9(f), 10, 12, AND 17 OF PCOSO ACT 2012 AND SECTION 3(1)(w)(i AND ii), 3(1)(s) AND 3(2)(v-a) OF SC/ST (PA ACT 1989 (BNSS)).

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 10.03.2025, COMING ON FOR PRONOUNCEMENT OF ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S RACHAIAH)

1. The petitioner, who is arraigned as accused No.1 in Crime No.4/2024 of the respondent - Police, is before this Court seeking regular bail, for the offences punishable under Sections for offences punishable under Sections 354, 354(A), 354(D), 109, 376(2)(b)(f), 376(3) of Indian Penal Code (for short "IPC") r/w Sections 4, 5(c)(f), 6, 8, 9(f), 10, 12 and 17 of POCSO Act, 2012 and Section 3(1)(w)(i&ii), 3(1)(s) and 3(2)(v-a) of the Scheduled NC: 2025:KHC-K:1613 Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SC/ST (POA) Act') in Spl.Case (POCSO) No.65/2024 pending on the file of District and Sessions Judge, Yadgiri.

Brief facts of the case:

2. It is the case of the prosecution that the complainant who was working as Deputy Director of Education Department at Yadgiri had received a phone call from the public stating that in Annapura Government High School, the Head Master was misbehaving with the girls. On receiving the said information, the complainant instructed the Block Education Officer (for short 'BEO') to visit the school and report the same. The BEO along with education co-ordinator visited the school and received the information from the girls and reported to the Deputy Director of Public Instruction (for short 'DDPI'). On the basis of the said report, a complaint came to be registered against the petitioner. The respondent police after conducting the investigation, submitted the charge sheet.

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3. Heard Sri.K.Diwakar, learned Senior Counsel appearing on behalf of Sri.Hitesh Gowda B.J, learned counsel for the petitioner through video conference and Sri.Jamadar Shahabuddin, learned High Court Government Pleader for for respondent Nos.1 and 2.

4. It is the submission of the learned Senior Counsel for the petitioner that a false case has been registered against the petitioner by making false and baseless allegations in order to defame him in the society.

5. It is further submitted that none of the students have stated about the misbehaviour of the petitioner and the charge sheet has been filed only in order to suspend him from the post of Head Master. Hence, a complaint has been lodged on vengeance.

6. It is further submitted that the averments of the statements stated to have been given by the students before the learned Magistrate are identical and similar in nature. The students have given the said statements on the basis of having tutored. The petitioner is aged person and he is having old age ailments and also having deep root in the society. In case, if the petition is NC: 2025:KHC-K:1613 allowed and bail may be granted to him with conditions, he will abide the conditions. Making such submissions, the learned Senior Counsel for the petitioner prays to allow the petition.

7. Per contra, learned High Court Government Pleader for the respondent Nos.1 and 2 vehemently opposed the said bail petition and he further submitted that the investigation has been conducted and the charge sheet has been submitted. As per the averments of the charge sheet, as many as 29 students have stated before the police that they had been subjected to molestation. Moreover, all these students have also stated before the learned Magistrate about the said incidents. Such being the fact, if the petitioner is enlarged on bail, there may be chances of either threatening or tampering the witnesses. Therefore, it is not appropriate to grant him bail. Making such submissions, the learned High Court Government Pleader prays to dismiss the petition.

8. Having heard the learned counsel for the respective parties and also perused the averments of the charge sheet, the complaint was filed by the DDPI on NC: 2025:KHC-K:1613 11.01.2024 making certain allegations against the petitioner in respect of molestation and sexual assault etc.

9. On going through the averments of the charge sheet, many students have given their statements under Section 164 of Cr.P.C before the learned Magistrate, Yadgiri. They have described the manner in which they had been subjected to molestation. As the students have stated their statements before the learned Magistrate about the incidents, it can be gathered the gravity and intensity of the offence. Therefore, it is not appropriate to grant him bail.

10. Hence, I proceed to pass the following:

ORDER The petition stands dismissed.

Sd/-

(S RACHAIAH) JUDGE UN