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Status: Pending

Case Number: **CRL.A 1639/2026 (KAHC010669552026)**
Classification: **U/S 14(A) (2)**
Date of Filing: **23/09/2026 15:47:27**

Petitioner: **CHANDAN M.,**
Petitioner Advocate: **HARIPRASAD M.B.**

Respondent: **STATE OF KARNATAKA,**
Respondent Advocate:

Filing No.: **CRL.A 1559/2026**
Judge: **G BASAVARAJA**

Last Posted For: **ADMISSION**
Last Date of Action: **02/11/2026**
Last Action Taken: **ADJOURNED**

Next Hearing Date: **06/11/2026**

Daily Orders: CRL.A 1639/2026

1	**02/11/2026**	G BASAVARAJA	**ADJOURNED**
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2	**29/10/2026**	G BASAVARAJA	**ADJOURNED**
	It is submitted by the learned HCGP that notice is duly served to respondent No.2. Respondent No.2 called out, remained absent and unrepresented. Sri Pruthveen Kattimani, Advocate is appointed as Amicus Curiae for respondent No.2. Learned counsel for the appellant is directed to furnish appeal papers to Amicus Curiae. re-list this matter on 02.11.2026. **Last Updated On:** 2026-10-30 13:11:37		

3	**17/10/2026**	G BASAVARAJA	**ADJOURNED**
	ORAL ORDER It is submitted by the learned counsel for the appellant that PF is paid today. Issue notice to respondent No.2. 2. The appellant/accused No.3 has preferred this appeal under Section 14A(2) of the Scheduled Castes		

and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 12.08.2026 passed in Crl.Misc.No.510/2026 by the I Additional District and Sessions Judge at Ramanagara (Special Court), whereby the application filed by the appellant seeking bail came to be rejected.

3. The Office has raised an objection regarding non-furnishing of process fee and copies of the memorandum of appeal along with all Annexures and documents, for issue of notice to respondent No.2. Section 15A(3) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 provides that “a victim or his dependent shall have the right to reasonable, accurate, and timely notice of any Court proceeding including any bail proceeding and the Special Public Prosecutor or the State Government shall inform the victim about any proceedings under this Act.” Section 15A(5) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 further entitles a victim or his dependent “to be heard at any proceeding under this Act in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file written submission on conviction, acquittal or sentencing.”

4. The Hon’ble Supreme Court in HARIRAM BHAMBHI v. SATYANARAYAN AND ANOTHER reported in [2021] 8 S.C.R. 855 has held that Sub-sections (3) and (5) of Section 15A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 are mandatory in nature, and that notice must be served upon the victim or his/her dependent at the first or earliest possible instance.

5. The Index of this memorandum of appeal reveals that the appellant has furnished all the copies to the Office of the Advocate General on 23.09.2026. The Office of the Advocate General has received the copies with seal and signature. However, the State has not complied with the mandatory requirement of Section 15A(3) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, inasmuch as no material is placed before this Court to show that respondent No.2 has been informed of these proceedings.

6. In many cases, particularly in the appeals filed under Section 14A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and in cases pertaining to offences under the Protection of Children from Sexual Offences Act, 2012, this Court has noticed that the de facto complainant/victim is arrayed as a party to the proceedings, and in such cases the Registry has not issued notice to such respondent for want of process fee.

7. In exercise of the powers conferred by Article 225 of the Constitution of India and Section 54 of the States Re-organisation Act, 1956 (Central Act 37 of 1956), read with Sections 122 and 129 of the Code of Civil Procedure, 1908, and Section 19 of the Mysore High Court Act, 1884 (I of 1884), and all other powers thereunto enabling, the High Court of Karnataka, with the previous approval of the Government of Karnataka, promulgated and issued the High Court of Karnataka Rules, 1959 with respect to the practice and procedure to be followed in the High Court, the draft of which had been previously published for objections and suggestions in the Karnataka Gazette dated 27th June 1957. Accordingly, Notification No.R.O.C.2296-59 dated 06th October 1959 was issued.

8. Chapter XIII of the High Court of Karnataka Rules, 1959 deals with “Issue and Service of Notice”. Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959 reads as under:

"16. No process fee shall be charged for notices issued in respect of Criminal Appeals or references or revisions except in cases of appeals or revisions against acquittal at the instance of private complainants or parties."

9. Thus, under Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959, process fee is chargeable only for notices in appeals or revisions against acquittal preferred at the instance of private complainants or parties. The present appeal, preferred by the accused under Section 14A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 against an order refusing bail, does not fall within the exception carved out in Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959, and no process fee is chargeable for issue of notice to respondent No.2.

10. However, the Registry is making the remark in the order-sheet as well as in the cause-list as "Notices not issued for want of process fee", which is contrary to Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959. Such remarks result in unnecessary delay in the progress of cases.

11. Non-compliance with Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959 causes unnecessary delay and inconvenience to the litigant public as well as to the members of the Bar, and defeats the statutory right of the victim to timely notice under Section 15A(3) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

12. In view of the aforesaid circumstances, the Registry is directed not to insist upon payment of process fee for notices to be issued in criminal appeals, references or revisions, except in appeals or revisions

	against acquittal at the instance of private complainants or parties, as contemplated under Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959. 13. The Registrar General is directed to place a copy of this order before Hon'ble the Chief Justice for consideration on the administrative side, including the issue of a suitable circular to the Registry at the Principal Bench and at the Benches at Dharwad and Kalaburagi, to ensure compliance with Rule 16 of Chapter XIII of the High Court of Karnataka Rules, 1959. 14. The learned High Court Government Pleader shall also ensure that respondent No.2/victim is informed of these proceedings, as mandated under Section 15A(3) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. 15. Learned HCGP seeks time to serve notice to respondent No.2. Time as sought for is granted finally. Re-list on 29.10.2026. **Last Updated On:** 2026-10-28 16:09:02		

4	**12/10/2026**	G BASAVARAJA	**ADJOURNED**
	ORAL ORDER As per the office note the appellant has already filed Crl.A No.1608/2026 and same was dismissed as withdrawn. The withdrawal of previous appeal will in no way affect to file fresh appeal. Learned High Court Government Pleader takes notice for respondent No.1. Issue notice to respondent No.2. Learned High Court Government Pleader is directed to intimate the concerned police to serve the notice to respondent No.2. Re-list this matter on 17.10.2026. **Last Updated On:** 2026-10-13 16:27:13		