



CNR: KAHC010471632026

NC: 2026:KHC:45138
WP No. 21512 of 2026
C/W CRL.P No. 170 of 2024
CRL.P No. 175 of 2024
AND 8 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 21512 OF 2026 (GM-RES)

C/W

CRIMINAL PETITION NO. 170 OF 2024

CRIMINAL PETITION NO. 175 OF 2024

CRIMINAL PETITION NO. 213 OF 2024

CRIMINAL PETITION NO. 225 OF 2024

CRIMINAL PETITION NO. 230 OF 2024

CRIMINAL PETITION NO. 254 OF 2024

CRIMINAL PETITION NO. 258 OF 2024

CRIMINAL PETITION NO. 271 OF 2024

CRIMINAL PETITION NO. 292 OF 2024

CRIMINAL PETITION NO. 307 OF 2024

Digitally signed
by
PADMAVATHI B
K

Location: High
Court of
Karnataka

IN WP No. 21512/2026

BETWEEN:

1. MR. PADMANABHA @ RAVI,
AGED ABOUT 55 YEARS,
S/O. K.T KENCHIAIAH.
2. SMT. SHOBHA,
AGED ABOUT 45 YEARS,
W/O PADMANABHA @ RAVI.

BOTH ARE R/AT NO.149/3,
2ND FLOOR, MANJUNATHA COMPLEX,



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BYRASANDRA MAIN ROAD, EAST JAYANAGAR,
1ST BLOCK, BENGALURU 560 011.

...PETITIONERS

(BY SRI. SHRIRAMA ADIGA, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA PS,
REP. BY HCGP,
HIGH COURT OF KARNATAKA-560001.
2. SMT. NAGARATHNA,
AGED ABOUT 61 YEARS,
W/O RAMANNA,
R/AT NO. 27, 3RD CROSS,
4TH MAIN, LALBAGH, SIDDAPURA,
BENGALURU CITY - 560011.

...RESPONDENTS

(BY SRI B.N JAGADEESHA, SPP-I A/W SMT. DEEPTHI ALVA,
HCGP FOR R-1)

THIS WP IS FILED UNDER ARTICLE 226 R/W 482 OF THE
CRIMINAL PROCEDURE CODE, 1973, PRAYING TO A. ISSUE A
WRIT OF CERTIORARI QUASH THE COMPLAINT FILED BY
RESPONDENT NO.2 BEFORE RESPONDENT NO.1 POLICE DATED
24.04.2016. VIDE ANNEXURE-A IN SO FAR AS THE PETITIONER
IS CONCERNED AND ETC.

IN CRL.P NO. 170/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,



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AGED ABOUT 57 YEARS.

BOTH ARE R/AT
HOUSE NO. 149/3, 2ND MAIN,
MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE 560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P.S,
JAYANAGAR SUB-DIVISION,
BANGALORE.

REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
KARNATAKA, BANGALORE-560001.

2. SMT. KASTHURI,
W/O DHANAPAL CHITTIYAR,
AGED ABOUT 55 YEARS,
R/AT NO. 23, 2ND MAIN,
SAKAMMA GARDEN,
BASAVANAGUDI,
BENGALURU-560004.
3. KUMAR,
S/O LATE RAMAKRISHNAIAH,
AGED ABOUT 49 YEARS.
4. PADAMAVATHI @ PADMA,
W/O LATE RAMAKRISHNAIAH,
AGED ABOUT 56 YEARS.
5. MADHU,
S/O LATE RAMAKRISHNAIAH,



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AGED ABOUT 24 YEARS.

RESP. NO.3 TO 5 ARE
R/AT NO. 16/1, 1ST CROSS,
1ST MAIN, BYRASANDRA,
JAYANAGAR 1ST BLOCK,
BANGALORE CITY.

...RESPONDENTS

(BY SRI. B.N. JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12672/2019 PENDING BEFORE THE IV A.C.J.M, BENGALURU, REGISTERED BY THE SIDDAPURA P.S., (RESP.NO.1 HEREIN) AGAINST THE PETITIONERS ON 20.04.2017 FOR THE OFFENCE P/U/S 406, 420, 120B R/W SEC.34 OF IPC A/W SEC.76 OF THE CHIT FUND ACT.

IN CRL.P NO. 175/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT
HOUSE NO.149/3, 2ND MAIN,
MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE-560011.

...PETITIONERS

(BY SRI. DHANANJAYA N.R, ADVOCATE)



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AND:

1. STATE OF KARNATAKA,
SIDDAPURA P S,
JAYANAGAR SUB DIVISION, BANGALORE,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.
2. SYED MOKTHAR AHMED,
S/O SYED ABDHUL AJEEJ,
AGED ABOUT 60 YEARS,
R/AT NO.11/1, 9TH CROSS,
4TH MAIN, JAYANAGAR 1 BLOCK,
EAST BYRASANDRA, BENGALURU-560011.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12552/2019 PENDING BEFORE THE IV ADDL.C.M.M., BENGALURU REGISTERED BY SIDDAPURA POLICE STATION (RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONERS ON 01.03.2017 FOR THE OFFENCE P/U/S 406, 420, 120B R/W 34 OF IPC AND SECTION 76 OF CHIT FUND ACT, 1982.

IN CRL.P NO. 213/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. K. PADMANABHA @ RAVI,
AGED ABOUT 46 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.J. KENCHIAIAH,
AGED ABOUT 49 YEARS.



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BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE - 560 011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P.S.,
JAYANAGAR SUB-DIVISION,
BANGALORE,
REP. BY PUBLIC PROSECUTOR.
2. SRI. GOKU K,
S/O KUPPA SWAMY,
AGED ABOUT 54 YEARS,
R/AT NO.707, MAHALINGESHWARA LAYOUT,
ADUGUDE, BANGALORE-560030.
3. KUMAR,
S/O LATE RAMAKRISHNAIAH,
AGED ABOUT 49 YEARS.
4. PADAMAVATHI @ PADMA,
W/O LATE RAMAKRISHNAIAH,
AGED ABOUT 56 YEARS.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S 482 CR.PC TO QUASH THE
ENTIRE PROCEEDINGS IN C.C.NO.12663/2019, PENDING
BEFORE THE IV ADDL. CHIEF METROPOLITAN
MAGISTRATE, BANGALORE REGISTERED BY THE
SIDDAPURA POLICE STATION CRIME NO. 93/2017
(RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONERS



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FOR THE OFFENCE P/U/S 406, 420, 120B R/W SEC. 34 OF
IPC AND SEC. 76 OF THE CHIT FUND ACT, 1982.

IN CRL.P NO. 225/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE 560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P S,
JAYANAGAR SUB DIVISION,
BANGALORE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.
2. S RAJU,
S/O LATE SIDDEGOWDA,
AGED ABOUT 68 YEARS,
R/AT NO.17/2, 1ST MAIN,
4TH CROSS, NEAR AKKAYAMMANA
TEMPLE, BYRASANDRA,



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BENGALURU 560030.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12550/2019 PENDING BEFORE THE IV A.C.M.M BENGALORE REGISTERED BY THE SIDDAPURA P.S (RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONERS ON 25.02.2017 FOR THE OFFENCE P/U/S 406, 420, 120B R/W 34 OF IPC A/W SEC.76 OF THE CHIT FUND ACT IN CR.NO.41/2017 SIDDAPURA P.S.

IN CRL.P NO. 230/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE 560 011

...PETITIONERS

(BY SRI.- DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P.S,
JAYANAGAR SUB DIVSIION,



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BANGALORE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
KARNATAKA, BENGALURU -560001.

2. SRI. SURESH .K,
S/O KUPPAN,
AGED ABOUT 31 YEARS,
RA/T NO.63, 1ST CROSS,
1ST MAIN, NEAR KAVERAMMA TEMPLE,
BHIRASANDRA, JAYANAGAR 1ST BLOCK,
BENGALURU-560041.
3. KUMAR,
S/O LATE RAMAKRISHNAIAH,
AGED ABOUT 49 YEARS.
4. PADAMAVATHI @ PADMA,
W/O LATE RAMAKRISHNAIAH,
AGED ABOUT 56 YEARS.
5. MADHU,
S/O LATE RAMAKRISHNAIAH,
AGED ABOUT 24 YEARS,

RESP. NO.3 TO 5 ARE R/AT
NO. 16/1, 1ST CROSS, 1ST MAIN,
BYRASANDRA, JAYANAGAR 1ST BLOCK
BANGALORE CITY.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE
ENTIRE PROCEEDINGS IN C.C.NO.12637/2019 PENDING
BEFORE THE IV A.C.J.M, BENGALURU REGISTERED BY
SIDDAPURA P.S. (RESP.NO.1 HEREIN) IN CRIME NO.
94/2017 SIDDAPURA P.S. AGAINST THE PETITIONERS FOR
THE OFFENCES P/U/S 406, 420, 120B R/W 34 OF IPC AND
SEC.76 OF THE CHIT FUND ACT, 1982.



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IN CRL.P NO. 254/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE - 560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P S,
JAYANAGAR SUB-DIVISION, BANGALORE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.
2. SRI. K.V. SHAMA RAO,
S/O LATE VITTAL RAO,
AGED ABOUT 83 YEARS,
R/AT RANGADHAMA, NO.26.1,
40TH CROSS, 26TH MAIN,
JAYANAGAR, BENGALURU - 560069.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W



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SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12639/2019 PENDING BEFORE THE IV ADDITIONAL CHIEF JUDICIAL MAGISTRATE, BENGALURU REGISTERED BY THE SIDDAPURA POLICE STATION (RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONERS FOR THE OFFENCES P/U/S.406, 420, 120-B R/W SEC.34 OF IPC, ALONG WITH SEC.76 OF THE CHIT FUND ACT.

IN CRL.P NO. 258/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUANATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE 560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R.,ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P S,
JAYANAGAR SUB-DIVISION, BANGALORE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.



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2. ASHWATHNARAYANA RAO,
S/O JANARDHANA RAO,
AGED ABOUT 73 YEARS,
R/AT NO.90, BLOCK NO.15,
TYPE 3, NIMHANS QUARTERS,
BYRASANDRA,
BENGALURU 560011.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12545/2019 PENDING BEFORE THE IV ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU REGISTERED BY THE SIDDAPURA POLICE STATION (RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONER ON 30.01.2017 FOR THE OFFENCE P/U/S.406, 420, 120-B R/W SEC.34 OF IPC, AND SEC.76 OF THE CHIT FUND ACT.

IN CRL.P NO. 271/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE 560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)



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AND:

1. STATE OF KARNATAKA,
SIDDAPURA P S.,
JAYANAGAR SUB DIVISION,
BANGALORE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.
2. SMT. R. DEVI,
W/O RAMASWAMY,
AGED ABOUT 64 YEARS,
R/AT NO. 498/1,
MAHATMA GANDHI LAYOUT,
9TH CROSS, JP NAGAR,
6TH PHASE,
BENGALURU-560078.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S 482 CR.PC TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12674/2019 PENDING BEFORE THE IV ADDL. CHIEF METROPOLITAN MAGISTRATE, BANGALORE REGISTERED BY THE SIDDAPURA POLICE STATION (RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONERS FOR THE OFFENCES P/U/S 406, 420, 120B R/ SEC. 34 IN CRIME NO.91/2017 OF IPC AND SEC. 76 OF THE CHIT FUND ACT, 1982.

IN CRL.P NO. 292/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.



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2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT: HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE-560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P S,
JAYANAGAR SUB-DIVISION,
BANGALORE, REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.
2. SMT. MANGALAMMA,
W/O GURURAJ,
AGED ABOUT 45 YEARS,
R/AT NO.262, NKALUBANDE,
14TH MAIN, JAYANAGARA 3RD BLOCK
EAST, BANGALORE 560011.

...RESPONDENTS

(BY SRI. B.N JAGADEESHA, SPP-I A/W

SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE
ENTIRE PROCEEDINGS IN C.C.NO.12632/2019 PENDING
BEFORE THE IV ADDITIONAL CHIEF METROPOLITAN
MAGISTRATE, BENGALURU REGISTERED BY THE
SIDDAPURA POLICE STATION (RESPONDENT NO.1 HEREIN)
AGAINST THE PETITIONERS FOR THE OFFENCES P/U/S.
420, 506 R/W SEC.34 OF IPC AND SEC.76 OF THE CHIT
FUND ACT 1982.



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IN CRL.P NO. 307/2024

BETWEEN:

1. MRS. SHOBHA,
W/O SRI. PADMANABHA @ RAVI,
AGED ABOUT 54 YEARS.
2. SRI. PADMANABHA @ RAVI,
S/O LATE K.T. KENCHIAIAH,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT HOUSE NO.149/3,
2ND MAIN, MANJUNATH COMPLEX,
BYRASANDRA MAIN ROAD,
1ST BLOCK EAST, JAYANAGAR,
BANGALORE-560011.

...PETITIONERS

(BY SRI. DHANANJAYA N R, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SIDDAPURA P.S.,
JAYANAGAR SUB-DIVISION,
BANGALORE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.
2. BEENA SREEKANTH,
S/O SREEKANTH,
AGED ABOUT 43 YEARS,
R/AT NO.2, 3RD CROSS,
4TH MAIN, BYRASANDRA,
BENGALURU-560011.

...RESPONDENTS

(BY SRI B.N JAGADEESHA, SPP-I A/W



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SMT. DEEPTHI ALVA, HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.12547/2019 PENDING BEFORE THE IV ADDL.C.M.M., BENGALURU, REGISTERED BY SIDDAPURA POLICE STATION IN CR.NO.39/2017 (RESPONDENT NO.1 HEREIN) AGAINST THE PETITIONERS ON 18.02.2017 FOR THE OFFENCE P/U/S 406, 420, 120B R/W 34 OF IPC A/W SEC. 76 OF THE CHIT FUND ACT.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

In W.P.No.21512/2026, the petitioners are before this Court seeking the following prayers:

"a. Issue a Writ of Certiorari Quash the complaint filed by Respondent No.2 before Respondent No.1 police dated 24.04.2016. vide Annexure-A in so far as the Petitioner is concerned and;

b. Issue a Writ of Certiorari to quash the First Information Report, filed by the Respondent No. 1 in Cr No. 94/2016 against the petitioners by the 1st Respondent Police dated 24.04.2016 for offences punishable u/s. 420, 120B, and 34 of IPC 1860 pending on the file of 2nd Additional Chief Judicial Magistrate (ACJM), Bangalore vide Annexure-B in so far as the Petitioner concerns and;

c. Issue a Writ of certiorari to quash the Chargesheet filed by the Respondent No.1 police in for the offences punishable u/s. 406, 420, 120(B), R/w 34 of IPC and section 76 of Chit Fund Act 1982, pending on the file of



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2nd Additional Chief Judicial Magistrate (CJM), Bangalore
Vide Annexure C in so far as the Petitioners concerns and;

d. Issue any other order or direction as this Hon'ble Court
deems fit and proper under the facts and circumstances of
this case to meet the ends of Justice."

2. In Crl.P.No.170/2024, the petitioners are before
this Court seeking the following prayers:

"(1) Quash the in entire proceedings C.C.No.12672/2019
pending before the IV Addl. Chief Judicial Magistrate,
Bangalore registered by the Siddapura Police Station
(Resp.No.1 herein) against the Petitioners on 20.04.2017
for the offences punishable u/sec.406, 420, 120B r/w
section 34 of the Indian Penal Code. Along with section 76
of the Chit Fund Act.

(ii) Grant such other relief/s as this Hon'ble Court be
pleased to grant in the facts and circumstances of the
case, in the interest of justice."

3. In Crl.P.No.175/2024, the petitioners are before
this Court seeking the following prayers:

"(i) Quash the entire proceedings C.C.No.12552/2019
pending before the IV Addl. Chief Metropolitan Magistrate,
Bangalore registered by the Siddapura Police Station
(Resp.No.1 herein) against the Petitioners on 01.03.2017
for the offences punishable u/sec.406, 420, 120B r/w
section 34 of the Indian Penal Code and Sec. 76 of Chit
Fund Act 1982.



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(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

4. In Crl.P.No.213/2024, the petitioners are before this Court seeking the following prayers:

"(i) Quash the entire proceedings in C.C.No.12663/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore registered by the Siddapura Police Station Crime No.93/2017 (Resp. No.1 herein) against the Petitioners for the offences punishable u/sec.406, 420, 120B r/w section 34 of the Indian Penal Code and Section 76 of the Chit Fund Act, 1982.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

5. In Crl.P.No.225/2024, the petitioners are before this Court seeking the following prayers:

"(i) Quash the entire proceedings in C.C.No.12550/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore registered by the Siddapura Police Station (Resp.No.1 herein) against the Petitioners on 25.02.2017 for the offences punishable u/sec.406, 420, 120B r/w section 34 of the Indian Penal Code. Along with section 76 of the Chit Fund Act in Crime No 41/2017 Siddapur P.S.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."



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6. In Crl.P.No.230/2024, the petitioners are before this Court seeking the following prayers:

"(i) Quash the entire proceedings in C.C.No.12637/2019 pending before the IV Addl. Chief Judicial Magistrate, Bangalore registered by the Siddapura Police Station (Resp. No.1 herein) in Cr.No.94/2017 Siddapura P.S. against the Petitioners for the offences punishable u/sec.406, 420, 120B r/w section 34 of the Indian Penal Code and Section 76 of the Chit Fund Act, 1982.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

7. In Crl.P.No.254/2024, the petitioners are before this Court seeking the following prayers:

"(i) Quash the entire proceedings in C.C.No.12639/2019 pending before the IV Addl. Chief Judicial Magistrate, Bangalore registered by the Siddapura Police Station (Resp. No.1 herein) against the Petitioners for the offences punishable u/sec.406, 420, 120B r/w section 34 of the Indian Penal Code along with section 76 of the Chit Fund Act.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

8. In Crl.P.No.258/2024, the petitioners are before this Court seeking the following prayers:



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(1) Quash the entire proceedings in C.C.No.12545/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore registered by the Siddapura Police Station (Resp. No.1 herein) against the Petitioners on 30.01.2017 for the offences punishable u/sec.406, 420, 120B r/w section 34 of the Indian Penal Code and u/sec. 76 of Chit fund act.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice".

9. In Crl.P.No.271/2024, the petitioners are before this Court seeking the following prayers:

(i) Quash the entire proceedings in C.C.No.12674/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore registered by the Siddapura Police Station (Resp. No.1 herein) against the Petitioners for the offences punishable u/sec. 406, 420, 120B r/w section 34 in Crime No. 91/2017 of the Indian Penal Code and Section 76 of the Chit Fund Act, 1982.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

10. In Crl.P.No.292/2024, the petitioners are before this Court seeking the following prayers:

(i) Quash the entire proceedings in C.C.No.12632/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore registered by the Siddapura Police Station (Resp. No.1 herein) against the Petitioners for the offences punishable u/sec. 420, 506 r/w section 34 of the



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Indian Penal Code and Section 76 of the Chit Fund Act, 1982.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

11. In Crl.P.No.307/2024, the petitioners are before this Court seeking the following prayers:

(i) Quash the entire proceedings in C.C.No.12547/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore registered by the Siddapura Police Station in Crime No.39/2017 (Resp. No.1 herein) against the Petitioners for the offences punishable u/sec. 406, 420, 120B r/w section 34 of the Indian Penal Code. Along with Section 76 of the Chit Fund Act.

(ii) Grant such other relief/s as this Hon'ble Court be pleased to grant in the facts and circumstances of the case, in the interest of justice."

12. In W.P.No.21512/2026, heard Sri.Shrirama Adiga, learned counsel appearing for the petitioners. In all the criminal petitions, heard Sri.Dhananjaya N.R., learned counsel appearing for the petitioners. In all the petitions, heard Sri.B.N.Jagadeesha, learned SPP-I along with Smt.Deepthi Alva, learned HCGP appearing for respondent No.1 and have perused the material on record.



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13. Learned counsel appearing for the petitioners would submit that the issue in the *lis* stands covered by the judgment rendered by this Court in Crl.P.No.6387/2026 disposed on 07.07.2026, wherein it has held as follows:

"3. Learned counsel for petitioners relying on the judgment of this Court in Crl.P.No.1836/2022, disposed on 15.03.2022, would submit that the issue in the *lis* is also identical to the one as afore-quoted and submits that the Chit Fund Company is not made as a party accused. Therefore, seeks that the same relief may be granted to the petitioners, as is granted in the afore-quoted petition.

4. This Court in Crl.P.No.1836/2022, disposed on 15.03.2022, has held as follows:

"Identical criminal petitions in Crl.P.Nos.5230/2018 and 6526/2018 were allowed by this Court on 14.09.2021 reserving liberty to proceed in accordance with law. This Court has held as follows:

"6. The common ground inter alia taken up in these proceedings are that the Company which ran the chit fund is not made a party to these proceedings and unless, the Company is a party, the petition would not be maintainable.

7. The issue with regard to whether the proceedings could be initiated against the petitioner alone who is an employee of the Company and not the Company, is no longer *res integra*, as the issue stands covered by the judgment of the Apex Court in the case of **ANEETA HADA v. GODFATHER TRAVELS AND TOURS PRIVATE LIMITED**¹ wherein the Hon'ble Apex Court has held as follows:-

"39. The word "deemed" used in Section 141 of the Act applies to the company and the persons responsible for the acts of the company. It crystallizes the corporate criminal liability and vicarious liability of a person who is in charge of

¹ (2012) 5 SCC 661



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the company. What averments should be required to make a person vicariously liable has been dealt with in S.M.S. Pharmaceuticals Ltd. [(2005) 8 SCC 89 : 2005 SCC (Cri) 1975] In the said case, it has been opined that the criminal liability on account of dishonour of cheque primarily falls on the drawee (sic drawer) company and is extended to the officers of the company and as there is a specific provision extending the liability to the officers, the conditions incorporated in Section 141 are to be satisfied.

... ..

50. However, it is noticeable that the Bench thereafter referred to the dictum in Sheoratan Agarwal [(1984) 4 SCC 352: 1984 SCC (Cri) 620] and eventually held as follows: (Anil Hada case [(2000) 1 SCC 1: 2001 SCC (Cri) 174] , SCC p. 10, para 21)

"21. We, therefore, hold that even if the prosecution proceedings against the company were not taken or could not be continued, it is no bar for proceeding against the other persons falling within the purview of sub-sections (1) and (2) of Section 141 of the Act."

In the light of the aforesaid judgment of the Apex Court, the proceedings without making the Company a party was not maintainable.

8. The said judgment is followed in plethora of orders passed by the Co-ordinate benches of this Court, one of which is cited herein is, in the case of **MR. ARVIND MEDIRATTA v. STATE OF KARNATAKA**² - wherein this Court has held as follows:

"8. I have given my careful consideration to the submissions of the learned senior counsel and the learned High Court Government Pleader.

9. In the light of the submissions of the parties, the point that arises for consideration of this court is;

² **Crl.R.P. No.344/2017 and connected cases dd. 16-03-2017**



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Whether the impugned orders passed by the learned Magistrate taking cognizance of the offences mentioned in the complaints filed by the Labour Department against the petitioner as an individual without making the company, in which he is a member on Board, are maintainable?

10. The Hon'ble Supreme court in the case of ANEETA HADA (supra) while considering a case arising out of Section 138 of the Negotiable Instruments Act, 1881, has held as follows:

"Applying the doctrine of strict construction, we are of the considered opinion that commission of offence by the company is an express condition precedent to attract the vicarious liability of others. Thus, the words "as well as the company" appearing in the section make it absolutely unmistakably clear that when the company can be prosecuted, then only the persons mentioned in the other categories could be vicariously liable for the offence subject to the averments in the petition and proof thereof. One cannot be oblivious of the fact that the company is a juristic person and it has its own responsibility. If a finding is recorded against it, it would create a concavity in its reputation. There can be situations when the corporate reputation is affected when a Director is indicted".

The said authority has been following by this Court in the case of SANJAY JAIN (supra).

11. A perusal of the complaints show that the petitioner is arraigned as an accused in his individual capacity, although his position as a Director in the company is mentioned. It is one thing to say that the company is the accused represented by its Director and it is another to say that an individual being described as a Director in a particular company satisfies the requirement of law. An individual can be a member on the Board of several companies. Unless a company, which is a juristic person, is arraigned as a party, the Labour Department could not have initiated prosecution only against an individual. In the circumstances, respectfully following the Authority in the case of ANEETA HADA (supra), in my view, the complaints filed by the Senior Labour Inspector qua an individual without the Corporate entity being made as a member, were not maintainable.



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In the circumstances, these petitions merit consideration and are accordingly allowed."

In the light of the judgments as noticed hereinabove, the complaint itself was not maintainable without the corporate entity being made as a party but having brought only the Board of Directors or the officers of the Company as accused."

2. The present petition also raised a similar issue where the proceedings are instituted against the petitioners, who are Directors of the Company (accused Nos.1 and 2) without the proceedings are instituted without making the Company a party.

3. The aforesaid criminal petitions were allowed following the judgment of the Apex Court in the case of ANEETA HADA v. GODFATHER TRAVELS AND TOURS PRIVATE LIMITED³.

4. Therefore, the criminal petition is allowed in the same terms as is directed in Criminal Petition Nos.5230/2018 and 6526/2018 disposed on 14.09.2021."

In the light of the issue being answered in the afore-quoted judgment of this Court, the subject petition deserves to succeed, as the proceedings are instituted without making the Company as a party.

5. For the aforesaid reasons, the following:

ORDER

- (i) The Criminal Petition is allowed.
- (ii) The proceedings in C.C.No.9294/2022, pending before the 32nd Additional Chief Judicial Magistrate, Bengaluru and all further proceedings taken thereto, stand quashed.
- (iii) The respondent - State shall be at liberty to take appropriate action in accordance with law.

Ordered accordingly."

³ (2012) 5 SCC 661



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14. In the light of the order passed by this Court (*supra*) and for the reasons aforementioned, the following:

ORDER

- (i) The Petitions are disposed.
- (ii) In W.P.No.21512/2026, complaint filed by Respondent No.2 before Respondent No.1-police dated 24.04.2016; First Information Report filed by the Respondent No.1 in Crime No.94/2016 by the 1st Respondent Police dated 24.04.2016; Chargesheet filed by the Respondent No.1 police, pending on the file of 2nd Additional Chief Judicial Magistrate (ACJM), Bangalore, stands quashed *qua* the petitioners.
- (iii) In Crl.P.No.170/2024, entire proceedings in C.C.No.12672/2019 pending before the IV Addl. Chief Judicial Magistrate, Bangalore, stands quashed *qua* the petitioners.
- (iv) In Crl.P.No.175/2024, entire proceedings in C.C.No.12552/2019 pending before the IV Addl.



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Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.

(v) In Crl.P.No.213/2024, entire proceedings in C.C.No.12663/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.

(vi) In Crl.P.No.225/2024, entire proceedings in C.C.No.12550/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.

(vii) In Crl.P.No.230/2024, entire proceedings in C.C.No.12637/2019 pending before the IV Addl. Chief Judicial Magistrate, Bangalore, stands quashed *qua* the petitioners.

(viii) In Crl.P.No.254/2024, entire proceedings in C.C.No.12639/2019 pending before the IV Addl. Chief Judicial Magistrate, Bangalore, stands quashed *qua* the petitioners.



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- (ix) In Crl.P.No.258/2024, entire proceedings in C.C.No.12545/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.
- (x) In Crl.P.No.271/2024, entire proceedings in C.C.No.12674/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.
- (xi) In Crl.P.No.292/2024, entire proceedings in C.C.No.12632/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.
- (xii) In Crl.P.No.307/2024, entire proceedings in C.C.No.12547/2019 pending before the IV Addl. Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the petitioners.
- (xiii) The respondent-State/Investigating Officer is at liberty to implead the Company as a party



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respondent to these proceedings in further
investigation, as the case would be.

Sd/-
(M.NAGAPRASANNA)
JUDGE

CBC
List No.: 2 SI No.: 38