



CNR: KAHC010032992025

NC: 2026:KHC:45593
CRL.RP No. 140 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

CRIMINAL REVISION PETITION NO. 140 OF 2025

(397(CR.PC) / 438(BNSS))

BETWEEN:

1. STATE OF KARNATAKA BY
BENGALURU METROPOLITAN
TASK FORCE, POLICE STATION
C.I.D., BENGALURU.
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU-560001.

...PETITIONER

(BY SRI. NAGHARISH, HCGP.)

AND:

1. C. NARAYANA
S/O CHANNAPPA
AGED ABOUT 77 YEARS
RETIRED EXECUTIVE ENGINEER
SWDB, BBMP, CHIEF ENGINEER OFFICE
4TH BLOCK, SHOPPING COMPLEX
JAYANAGARA, (FORMER EXECUTIVE ENGINEER)
RAJARAJESWARINAGAR DIVISION
R/AT NO.5/15, II MAIN ROAD
BYATARAYANAPURA
BENGALURU-560026.
2. R. BENAKESHA
S/O H.RAMAPPA
AGED ABOUT 54 YEARS

Digitally
signed by
RAKSHA
Location:
High Court
of Karnataka



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ASSISTANT ENGINEER
JAYANAGAR SUB-DIVISION
BBMP, BENGALURU.
R/AT NO.17, SRIRAMANILAYA
2ND CROSS, KUVEMPU LAYOUT
ANJANA NAGAR, BENGALURU-91.
NATIVE PLACE AT EDAKOPPA
SORABA TALUK, SHIVAMOGGA DISTRICT.

3. TARANATH M H
S/O HARIHARAI AH
AGED MAJOR
CLASS-I CONTRACTOR
(VINYAS BUILDERS), R/AT NO.304
JNANABHARATHI MAIN ROAD
VINYAS RENAISSANCE HOUSE
NAGARABHAVI, BENGALURU-74
NATIVE PLACE MAGODU VILLAGE
SHIRA TALUK.

...RESPONDENTS

(BY SMT. VISMAYA D A., ADVOCATE FOR
SRI. PARAMESHWAR N HEGDE., ADVOCATE FOR R1 & R2:
SMT. GEETHANJALI P, ADVOCATE FOR R3(ABSENT))

THIS CRL.RP IS FILED U/S 397 R/W 401 CR.PC (FILED U/S 438 R/W 442 BNNS) PRAYING TO SET ASIDE THE ORDER DATED 20.07.2023 PASSED IN SPL.C.C.NO.51/2015 ON THE FILE OF COURT OF LXXVII ADDL. CITY CIVIL AND SESSIONS JUDGE AND THE SPECIAL JUDGE FOR TRYING OFFENCES UNDER THE PREVENTION OF CORRUPTION ACT, AT BENGALURU CITY BY ALLOWING THIS REVISION PETITION AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T



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ORAL ORDER

Heard learned High Court Government Pleader Sri. G.S. Nagharish for the revision petitioners/State and Smt. Vismaya D.A., learned counsel for Sri. Parameshwar N Hegde, for respondent Nos.1 and 2. Learned counsel for respondent No.3 is absent.

2. The petitioner has filed this petition under Section 397 r/w Section 401 Code of Criminal Procedure, 1973 praying to set aside the order dated 20.07.2023 passed by learned LXXVII Additional City Civil and Sessions Judge and the Special Judge, Lokayukta for Trying Offences under the Prevention of Corruption Act, Bengaluru City in Spl.C.C.No.51/2015, wherein, the Special Court allowed the application filed under Sections 227 and 239 of Cr.P.C. filed by accused Nos.1, 3 and 4 and discharged them from the case. Being aggrieved by the impugned order, the State has preferred this revision petition.

3. Learned counsel for respondent No.1 has produced the copy of the order dated 22.03.2025 passed by the Coordinate



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Bench of this Court in Crl.R.P.No.975/2024 and connected matters, wherein, the operative portion of the order reads as under:-

ORDER

- (i) All the criminal revision petitions are allowed.*
- (ii) The order passed by the Trial Court in all the cases are set-aside. The matters are remitted back to the Trial Court to consider the matter afresh in view of the observations made by this Court on merits.*
- (iii) The Trial Court is directed to consider the sanction order given by the State to continue the proceedings against the accused where the proceedings have already been quashed by giving liberty to file sanction order and continue to proceed against them from the stage of taking cognizance.*
- (iv) If such sanction is given in respect of the accused persons, which have been relied upon by the respondents, there cannot be any proceedings against those accused persons.*
- (v) In the absence of original TVCC report, if any secondary evidence is placed, if the same is admissible and reliable as observed by the Apex Court in the judgment referred supra, the Trial Court is directed to permit the prosecution to place on record all the material recording the evidence of witnesses both oral and documentary evidence in full and then dispose of the matter on merits in accordance with law.*



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4. Having considered the factual aspects of the case and the principles laid down by the coordinate Bench of this Court, the facts involved in the present case and the facts involved in the decision cited supra are one and the same, hence, the impugned order passed by the Special court is liable to be set-aside and the matter is remitted back to the trial Court to consider the matter afresh in view of the directions issued by the coordinate Bench in Cr.R.P.No.975/2024 and connected matters.

Accordingly, I pass the following:-

ORDER

1. The criminal revision petition is **allowed**.
2. The order dated 20.07.2023 passed by learned LXXVII Additional City Civil and Sessions Judge and the Special Judge, Lokayukta for Trying Offences under the Prevention of Corruption Act, Bengaluru City(CCH-78) in Spl.C.C.No.51/2015 is set-aside. The matter is remitted back to the trial Court to consider the matter afresh in the light of directions issued by the Coordinate Bench.



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3. The trial Court is directed to consider the sanction order given by the State to continue the proceedings against the accused where the proceedings have already been quashed by giving liberty to file sanction order and continue to proceed against the accused from the stage of taking cognisance.
4. The trial Court is directed to permit the prosecution to place on record all the materials, recording the evidence of witnesses both oral and documentary evidence in full and then dispose of the matter on merits in accordance with law.

**Sd/-
(VENKATESH NAIK T)
JUDGE**

MNLIST NO.: 2 SL NO.: 5