



CNR: KAHC010142282025

NC: 2026:KHC:49822
CRL.P No. 3491 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.3491 OF 2025

BETWEEN:

HIYAZ HUSSAIN KARNADU
@ HIYAZ @ HIYYA
S/O BADRUL MUNEER
AGED ABOUT 28 YEARS
R/AT DOOR NO.11-65
HIYAZ MANZIL, BAPPANDU
VILLAGE, MANGALORE
D.K DISTRICT-574154

...PETITIONER

(BY SRI. IMTIAZ B, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY MULKI PS
REP. BY SPP
HIGH COURT BUILDING
BENGALURU-01
2. BHASKAR
S/O KRISHNAPPA
AGED ABOUT 49 YEARS
R/AT D.NO 1-11
BHAGYA NIVASA
SANTEKATTE, HALEYANGADI

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010142282025

NC: 2026:KHC:49822
CRL.P No. 3491 of 2025

MANGALURU TALUK
D.K. DISTRICT-574154

...RESPONDENTS

(BY SRI SUHAS GOWDA M HCGP FOR R1;
R2 – SERVED, UNREPRESENTED)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO
QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.666/2023
FOR THE O/P/U/S 457, 380, 109, 212, 201 R/W 34 OF IPC
AND ETC.

THIS PETITION, COMING ON FOR ADMISSION, THIS
DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

This petition is filed to quash the entire proceedings in
C.C.No.666/2023 for the offences punishable under Sections
457, 380, 201, 109, 212 read with Section 34 of IPC.

2. Heard the learned counsel appearing for the
petitioners and also the learned High Court Government
Pleader appearing for respondent No.1.

3. This Court already quashed the proceedings against
accused Nos.3 and 4 in CrI.P.Nos.8971/2025 and 4248/2020
respectively. The present petitioner is accused No.1. This



CNR: KAHC010142282025

petitioner is also implicated in the case based on the co-accused statement i.e., accused No.2 with regard to the incident of committing the offences under Sections 457 and 380 of IPC. There is no any recovery at the instance of this petitioner except the statement of co-accused and mahazar witness statement with regard to the seizure of motorcycle and Bolero pickup vehicle in which they came and trespassed the house of the complainant and having provided the shelter to the accused persons. Against those persons who gave the shelter to the accused also, there is no any incriminating materials collected by the IO during the investigation. The counsel appearing for the State would submit that only bike was seized and witnesses who have been given the statement is with regard to the seizure of the motorcycle and the same is also based on voluntary statement of accused persons. There is no any incriminating material against this petitioner as there is no any recovery in respect of this incident is concerned. When this court already extended the benefit in favour of accused Nos.3 and 4 on the ground that there is no any recovery and no any incriminating materials, the question of continuing the



**NC: 2026:KHC:49822
CRL.P No. 3491 of 2025**

CNR: KAHC010142282025

proceedings against this petitioner also does not arise since this petitioner is also standing on the same footing and based on statement made by the co-accused, this petitioner is also implicated in the case. Hence, the petitioner has made out the grounds to quash the proceedings.

4. In view of the discussions made above, I pass the following:

ORDER

The petition is allowed.

The proceedings against this petitioner in C.C.No.666/2023 is quashed.

Sd/-
(H.P.SANDESH)
JUDGE

SN