



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 5522 OF 2025 (482(Cr.PC)
/ 528(BNSS)-)

BETWEEN:

MOHAMMAD ANSAB
S/O. ABDUL AZEEZ,
AGED ABOUT 24 YEARS,
R/AT 4/78, NELTHAMER,
PONAJE VILLAGE,
PUTTUR TALUK,
D.K DISTRICT - 574 259

...PETITIONER

(BY SRI. LETHIF B.,ADVOCATE)

AND:

THE STATE OF KARNATAKA
BY PUTTURU RURAL POLICE STATION,
D.K DISTRICT
REP. BY SPP,
HIGH COURT BUILDING,
BANGALORE-560001.

...RESPONDENT

(BY SRI. RANJITH KUMAR N., HCGP)

THIS CRIMINAL PETITION IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST THE PETITIONER IN C.C.NO.367/2024 FOR THE OFFENCES P/U/S 143, 147, 341, 504, 353, 506, 75 AND 149 OF IPC ON THE FILE OF THE ADDL. SENIOR CIVIL JUDGE AND JMFC, PUTTURU, D.K.,DISTRICT WHICH IS PRODUCED AT ANNEXURE-A.



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner is before this court seeking for the following reliefs:

"Quash the entire proceedings against the petitioner in C.C.No.367/2024 for the offences p/u/s 143, 147, 341, 504, 353, 506, 75 and 149 of IPC on the file of the Addl. Senior Civil Judge and JMFC, Putturu, D.K., district which is produced at Annexure-A."

2. The petitioner was accused No.10 in the original proceedings in C.C. No.1247/2021. The proceedings against the petitioner came to be split up by order dated 07.03.2024 and, pursuant thereto, the split-up case was registered as C.C. No.367/2024 on 15.04.2024.
3. Non-bailable warrants were issued against the petitioner. However, the warrants could not be served and the proceedings in respect of the petitioner was split up.
4. In the meanwhile, the original proceedings in C.C. No.1247/2021 were proceeded with against the other



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

accused, namely accused Nos.1 to 9, 11 and 12. The said proceedings culminated in judgment dated 31.01.2026, whereby the learned Trial Court acquitted the said accused.

5. The Trial Court, while acquitting the accused, recorded a finding that the prosecution had failed to establish the guilt of the accused and that none of the witnesses had supported the case of the prosecution.
6. It is in these circumstances that the petitioner has approached this Court. Learned counsel for the petitioner submits that the petitioner was arrayed as accused No.10 in the very same case and that the allegations against the petitioner are identical to those made against the other accused.
7. It is submitted that the prosecution has already examined the witnesses in the original proceedings and none of them have supported the prosecution case. The petitioner is therefore sought to be tried on the basis of the very same evidence which has already been found insufficient to establish the guilt of the other accused.



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

8. Learned counsel further submits that there is no separate allegation, independent material or distinguishing circumstance against the petitioner which would require the petitioner to undergo a separate trial.
9. Learned HCGP is called upon to state whether there is any additional material, any independent witness or any circumstance distinguishing the case of the petitioner from that of accused Nos.1 to 9, 11 and 12, who have already been acquitted.
10. Learned HCGP fairly submits that there is no such additional material or distinguishing circumstance available against the petitioner.
11. Heard learned counsel for the petitioner and learned HCGP and perused the records, including the judgment dated 31.01.2026 passed in C.C. No.1247/2021.
12. **The short point that arises for consideration is "Whether continuation of the proceedings against the petitioner in C.C. No.367/2024 would serve any useful purpose when the co-accused, against whom the same allegations were made, have already been acquitted on the**



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

finding that the prosecution witnesses have not supported the case, and there is no additional or distinguishing material against the petitioner?”

13. The petitioner was accused No.10 in the original proceedings in C.C. No.1247/2021. The proceedings against him came to be split up because he could not be secured. Therefore, the split-up case does not arise out of any separate incident or separate set of allegations. It arises out of the very same case in which accused Nos.1 to 9, 11 and 12 were tried.
14. The original trial has now concluded. By judgment dated 31.01.2026, the learned Trial Court has acquitted the other accused. The judgment records that the prosecution failed to bring home the guilt of the accused and, importantly, that none of the witnesses examined by the prosecution supported its case.
15. The significance of the said judgment, insofar as the present petitioner is concerned, is that the petitioner is not alleged to have committed a separate or independent act. The allegations against him arise from the same occurrence and the prosecution



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

proposes to rely upon the same set of witnesses and material.

16. Therefore, the Court has to consider whether there is any material available against the petitioner which is different from or additional to the material which was available against the other accused.
17. On being specifically called upon to identify any such material, learned HCGP fairly submits that there is no additional witness, material or circumstance which distinguishes the case of the petitioner from that of the other accused.
18. Thus, the position that emerges is that the petitioner would have to face trial on the basis of the same prosecution case and substantially the same evidence which has already been tested in the trial of the other accused.
19. The witnesses who were examined in the original proceedings did not support the prosecution case. There is no material placed before this Court to show that any witness is now available who would give evidence specifically against the petitioner or that there is any independent material connecting the petitioner with the alleged offences.



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

20. It is true that an acquittal of a co-accused does not, in every case and as an absolute rule, automatically result in termination of proceedings against an absconding or split-up accused. Each case has to be examined on its own facts and the Court must ascertain whether there is any material distinguishing the case of the accused before it from that of the accused who has already been acquitted.
21. In the present case, however, no such distinguishing feature exists.
22. The petitioner is alleged to have participated in the same occurrence as the other accused. The offences alleged against him are the same. The prosecution evidence is the same. The witnesses have already failed to support the prosecution case in the trial of the other accused. Most importantly, the prosecution is unable to point out any additional material against the petitioner.
23. In such circumstances, requiring the petitioner to undergo a separate trial would serve no meaningful purpose. The Trial Court would necessarily have to consider the same prosecution evidence which has already been found insufficient to establish the guilt of the other accused.



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

24. This is not a case where the petitioner is sought to be prosecuted on the basis of some independent evidence which was not before the Trial Court in the earlier proceedings. There is, therefore, no material before this Court to indicate that the result of the proceedings against the petitioner could be different on account of any circumstance peculiar to him.
25. The purpose of exercising the inherent jurisdiction under Section 482 of the Cr.P.C. is, among other things, to prevent abuse of the process of the Court and to secure the ends of justice. The Court is not required to permit a criminal trial to continue as a matter of formality when the record demonstrates that there is no evidence which can distinguish the petitioner from the accused who have already been acquitted.
26. In the present case, continuation of the proceedings against the petitioner, in the absence of any additional or distinguishing material, would only result in the petitioner being subjected to a trial based on the very same evidence which has already failed to establish the prosecution case against the other accused.
27. It would also result in further expenditure of judicial time without any corresponding purpose being served.



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified



CNR: KAHC010247212025

NC: 2026:KHC:54910
CRL.P No. 5522 of 2025

28. Therefore, having regard to the judgment of acquittal dated 31.01.2026, the nature of the allegations against the petitioner, the fact that the prosecution evidence is common and the categorical submission of the learned HCGP that there is no additional or distinguishing material against the petitioner, this Court is of the considered opinion that continuation of the proceedings in C.C. No.367/2024 would amount to an abuse of the process of law.
29. In that view of the matter, this Court passes the following:

ORDER

- i. The petition is allowed.
- ii. The proceedings registered against the petitioner in CC No.367/2024 for offences punishable under Section 143, 147, 341, 504, 353, 506, 75 and 149 of IPC, pending on the file of Addl. Senior Civil Judge and JMFC, Putturu, D.K. District, is quashed.



Digitally Signed By:
SURAJ GOVINDA RAJ
05/10/2026, 17:33, Bengaluru
Verified

(SURAJ GOVINDARAJ)
JUDGE

LN

List No.: 1 Sl No.: 34