



CNR: KAHC010261172018

NC: 2026:KHC:44755
CRL.RP No. 1440 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T
CRIMINAL REVISION PETITION NO. 1440 OF 2018
(397(Cr.PC) / 438(BNSS))

BETWEEN:

STATE BY KARNATAKA LOKAYUKTA
POLICE, CITY DIVISION,
BANGALORE - 560 001

...PETITIONER

(BY SRI. PRASAD B S., SPECIAL PROSECUTOR)

AND:

1. SRI. A.M. RAJASHEKARA REDDY
S/O LATE. MADIAH,
AGED ABOUT 46 YEARS,
ASSISTANT COMMISSIONER, BBMP,
OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER,
3RD MAIN, VIJAYANAGAR,
BENGALURU - 560 034.
2. SRI K.R. RAMESH,
S/O LATE RAGHAVENDRA,
AGED ABOUT 60 YEARS,
ASSISTANT EXECUTIVE ENGINEER,
OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER,
3RD MAIN, VIJAYANAGAR,
BENGALURU - 560 034.

...RESPONDENTS

(BY SRI. SHIVARAMU H C., ADVOCATE)

Digitally
signed by
RAKSHA
Location:
High Court
of Karnataka



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THIS CRL.RP IS FILED U/S.397 R/W 401 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER AS AGAINST THE PETITIONER ORDER DATED 20.11.2017, PASSED BY THE LXXVI ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPL.JUDGE, BANGALORE CITY CCH-77 IN SPL.C.C.NO.144/2011.

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

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

Heard the learned Special Prosecutor Sri. B.S. Prasad for petitioner-Lokayukta and Sri. Shivaramu H.C., learned counsel for respondent Nos.1 and 2.

Learned Special Prosecutor has filed a memo stating that he does not press the petition against respondent No.1/accused No.1.

In view of the memo and supporting submissions made by the special prosecutor, the petition filed insofar as respondent No.1/accused No.1 is concerned, stands dismissed as not pressed.



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2. This revision petition is filed under Section 397 (1) (3) r/w 401 Cr.P.C. to set-aside the order dated 20.11.2017 passed by learned LXXVI Additional City Civil and Sessions Judge & Special Judge, Bengaluru (CCH-77) in Spl.C.C.No.114/2011.

3. It is vehemently contended by Special Prosecutor for petitioner Lokayukta that, though the competent authority has accorded sanction for prosecuting accused No.2, the trial court under mis-conception of law, held that, for prosecuting Group 'A' and 'B' Officers, the Government through its Cabinet Minister has to approve for sanction, which observation is without any basis. Hence, he prayed to allow the petition.

4. Learned counsel for respondent No.2/accused No.2 orally objected and contended that the trial Court based on the material facts has rightly allowed the discharge application and rightly directed the Investigating Agency to seek further sanction from the competent authority and



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proceed with the matter and thus, no interference is called for by this Court. Hence, the counsel prayed to dismiss the petition.

5. The only question that would arise before this Court is 'Whether the sanction accorded by the competent authority to prosecute accused No.2 is in accordance with law or not?'

6. The Special Prosecutor has produced the copy of the sanction order dated 01.04.2011 passed by the Managing Director, Karnataka Rural Infrastructure Development Limited(KRIDL for short) for prosecuting accused No.2, wherein the Managing Director, KRIDL has produced the material on record, narrated the facts and has accorded sanction for prosecuting accused No.2 for the offence punishable under Sections 7, 13 (1) (d) r/w 13(2) of Prevention of Corruption Act, 1988. However, the trial court under mis-conception of fact and law wrongly observed that only the Government through its Cabinet



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Minister has to approve for sanction, which is not supported by any material particulars. Admittedly, the sanction was accorded by the Chief Engineer, Communications & Buildings(South), Bangalore to prosecute accused No.1, which is not in dispute.

Insofar as accused No.2 is concerned, the Managing Director KRIDL has accorded sanction to prosecute accused No.2, which is in consonance with law. Hence, to that extent, the revision petition is **allowed-in-part**, insofar as respondent No.2/accused No.2 is concerned and set aside the order of discharging accused No.2 by holding that the sanction obtained to prosecute accused No.2 is in accordance with law.

The petition insofar as respondent No.1/accused No.1 is dismissed as not pressed.



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In view of disposal of the main petition, pending IAs, if
any, stand disposed of.

Sd/-
(VENKATESH NAIK T)
JUDGE

MN
List No.: 1 Sl No.: 45