



CNR: KAHC010261302021

NC: 2026:KHC:36811
CRL.P No. 5522 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 5522 OF 2021

BETWEEN:

SRI RAVICHANDRANATH
@ RAVI JESUPATHAM
AGED ABOUT 63 YEARS,
S/O LATE SRI JESUPATHAM,
R/AT NO.37,
GOWTHAM NAGAR,
ROBERTSONPET POST,
KOLAR GOLD FIELDS - 563 122.

...PETITIONER

(BY SRI PATTABI C., ADVOCATE)

AND:

1. THE ADDITIONAL DIRECTOR
GENERAL OF POLICE
DIRECTORATE OF CIVIL
RIGHTS ENFORCEMENT,
NO. 1, 1ST FLOOR,
DTE BUILDING,
PALACE ROAD,
BANGALORE - 560 001.
2. THE SUPERINTENDENT OF POLICE
DIRECTORATE OF CIVIL
RIGHTS ENFORCEMENT,
KOLAR TOWN,
KOLAR - 560 101.

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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3. THE DEPUTY SUPERINTENDENT
OF POLICE
DIRECTORATE OF CIVIL
RIGHTS ENFORCEMENT,
KOLAR DIVISION,
KOLAR - 563 101.

...RESPONDENTS

(BY SRI C JAGADISH, SPL. COUNSEL FOR R1 TO R3)

THIS CRL.P IS FILED U/S.482 CR.P.C., PRAYING TO
QUASHING THE NOTICES DATED 25.03.2021 (ANNEXURE-A)
ISSUED BY THE RESPONDENT NO.3 AS ILLEGAL AND WITHOUT
AUTHORITY OF LAW.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging notice dated 25.03.2021 issued by respondent
no.3 at Annexure-A, this petition is filed.

2. Sri C Pattabi, learned counsel for petitioner submitted
that petitioner was an ardent follower of Christianity and held
various posts in administrative body of Our Saviour Lutheran
Church, KGF, Kolar. That due to a split in congregation, there
were number of civil and criminal proceedings initiated between



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members of one group against another. As an offshoot and at instigation of one Victor Negaraj, who had filed PCR no.5/2015 before II Additional District and Sessions Judge, Kolar, a complaint came to be lodged before DCRE Unit, Kolar. Thereafter, impugned notice at Annexure-A came to be issued to petitioner by respondent no.3. It was submitted by learned counsel that petitioner had served in BEML at KGF and resigned in year 2004. Without any allegation of petitioner having transgressed any of law issuance of impugned notice was only at instigation of Victor Negaraj and without any basis. Relying upon decisions of this Court in Crl.RP. no.989/2012 (**Smt.Yamuna**) and connected matter disposed of on 11.01.2022 and Crl.P. no.7980/2014 (**Dr. Shantharaj**) disposed of on 23.02.2022, it was submitted that initiation of proceedings in respect of pre-enactment caste certificates would be illegal and abuse of process. Hence, impugned notice was liable to be quashed. Further, issuance of notice in 2021, nearly 16 years after cessation of his service would also substantiate abuse of process. On said ground sought for allowing petition.



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3. On other hand, Sri Jagadish C, learned Special Counsel for respondents opposed petition. It was submitted that Hon'ble Supreme Court in case of **Kum. Madhuri Patil v. Additional Commissioner for Tribal Development** reported in **AIR 1995 SC 94** had taken note of widespread abuse of caste certificates by persons not belonging to Scheduled Castes and Scheduled Tribes and had issued directions authorizing Directorate of Civil Rights Enforcement to issue notices for securing information prior to initiation of enquiry regarding illegality of Caste Certificates. Further, under similar circumstances challenge of notices issued by DCRE were dismissed by this Court in WP no.14144/2008 disposed of on 16.01.2009. Since notice herein was only to secure information and did not indicate initiation of any proceedings, criminal petition would not be maintainable and sought for dismissal. By relying upon Division Bench decision of this Court in **Smt.Geethanjali v. The Canara Bank, rep., by its General Manager, Bangalore and others** reported in **ILR 2012 KAR 4384**, it was submitted that even in respect of pre-act, i.e., Karnataka Scheduled Castes, Scheduled Tribes and Other



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Backward Classes (Reservation of Appointment) etc., 1990 and allied Rules, 1993 or Scheduled Castes, Committee constituted under enactment would have jurisdiction to decide on validity of caste certificates. In that light also petition would be untenable and sought for dismissal.

4. Heard learned counsel and perused material on record.

5. In this petition, petitioner is seeking to challenge notice issued by respondent no.3 at Annexure-A. Perusal of notice would reveal that petitioner is called upon to furnish information. Same would not indicate initiation of any proceedings under any of enactments. Though notice appears to have been issued on a tip-off by one Victor Negaraj, that by itself may not be a ground for holding it to be abuse of process. At same time referring to ratio laid down by this Court in **Smt. Geethanjali's** case, unless a caste certificate issued prior to enactments referred to above were cancelled as per procedure, they would continue to be valid. Insofar as contention that initiation of proceedings in respect of pre-enactment caste certificates would be untenable by relying upon decisions in **Smt.Yamuna** and in **Dr.Shantha Raj's** case. Relying upon



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ratio in **Smt.Yamuna** and **Dr.Shantharaj's** case would not be justified at this stage as there are no particulars on record about date of issuance of caste certificate in favour of petitioner or whether employment was secured on said basis. Same would at best be matter for enquiry.

6. Reserving liberty to petitioner to urge all contentions in case of initiation of any proceedings, petition stands **disposed of**. However, a period of one month is granted from today to file reply to notice, if not already given.

Sd/-
(RAVI V HOSMANI)
JUDGE

YKL
List No.: 1 Sl No.: 28