



CNR: KAHC010307812019

NC: 2026:KHC:48529
CRL.P No. 4766 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.4766 OF 2019

BETWEEN:

J VENKATESH
S/O LATE V JAYARAM
AGED ABOUT 35 YEARS
BRINDAVAN PARADISE
1ST CROSS, LAKKASANDRA
BANGALORE-560030

...PETITIONER

(BY SRI. VISHNUMURTHY, ADVOCATE)

AND:

J P SUJATHA
W/O S NAGARAJU
AGED ABOUT 61 YEARS
R/AT NO.75/5, NEW NO.13/2
"A" BLOCK, C K C GARDEN
LALBAGH ROAD
BANGALORE-560027

...RESPONDENT

(RESPONDENT SERVED, UNREPRESENTED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO
QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.25369/2012
WHICH IS PENDING ON THE FILE OF IX ACMM, BANGALORE

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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FOR AN OFFENCE PUNISHABLE U/S 499, 500 OF IPC AGAINST
THE PETITIONER 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

Heard the learned counsel appearing for the petitioner.
This Court has issued the notice against the respondent and the
same is served and the respondent is unrepresented.

2. The petitioner has filed this petition praying this
Court to quash the entire proceedings in C.C.No.25369/2012 on
the file of IX ACMM, Bengaluru wherein the offences punishable
under Sections 499 and 500 of IPC is invoked against the
petitioner.

3. The counsel for the petitioner brought to notice of
this Court paragraphs 18 and 19 of the complaint wherein an
allegation is made against this petitioner is that this petitioner
is claiming himself to be the successful bidder in the said
auction started interfering with the peaceful possession and



enjoyment of complainant over the schedule properties. It is also necessary to state at this juncture itself that there are other three suits filed by the sisters of complainant and daughters of complainant and a tenant. In paragraph 19, it is stated that the complainant is not a defaulter, she has cleared the dues as early as 24.01.190. The bank statement received through the RTI Act dated 24.01.1990 clearly shows that there was surplus of Rs.3,00,975/- as on 24.01.1990. This being the facts of the case, the accused No.4 in order to harass the complainant filed CCC No.4/2011 and also advertised in Prajavani on 02.03.2007 with the help of accused Nos.2 and 3.

4. The counsel for the petitioner referring the complaint would vehemently contend that except this allegation, nothing is stated about the ingredients of the offences under Sections 499 and 500 of IPC against the petitioner herein. Hence, the very initiation of proceedings against this petitioner is an abuse of process. The counsel also brought to notice of this Court the order passed by this Court in respect of accused No.1 is concerned in Criminal Petition No.476/2015 and so also, in respect of accused Nos.2 and 3 in



Criminal Petition No.502/2013 wherein this Court has taken note of very scope of Section 499 while considering the case of accused Nos.1 to 3. This Court also extracted Section 499 of IPC in its order and considered the role of the petitioners and held that these petitioners are only published the report regarding the proceedings in Criminal Contempt Petition No.4/2011.

5. Having taken note of the order of the Coordinate Bench of this Court in respect of accused Nos.1 to 3 and so also the accusation made against this petitioner in paragraphs 18 and 19 of the complaint, it discloses that except initiation of the contempt proceedings in CCC No.4/2011 and advertising the same in Prajavani newspaper, nothing is stated that how it affects the complainant and invoking of Sections 499 and 500 of IPC. In paragraph 21 of the complaint, it is stated that the accused have published defamatory statements in writing such captions, that were per se defamatory, injurious and falsehood. But no specific accusation is made against this petitioner except as stating in paragraphs 18 and 19. When such being the case, it is a fit case to invoke Section 482 of Cr.P.C to quash the



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proceedings initiated against the petitioner herein since the question of invoking of Sections 499 and 500 of IPC against this petitioner does not arise considering the averments made in paragraphs 18 and 19 of the complaint.

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

ORDER

The petition is allowed.

The proceedings initiated against this petitioner in C.C.No.25369/2012 is hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

SN