



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

CRIMINAL PETITION NO. 6903 OF 2026

BETWEEN:

MEHUL PATEL,
AGED ABOUT 45 YEARS,
S/O LATE JAYANTH PATEL,
R/AT NO.62, G-3,
ORCHID APARTMENTS,
BEHIND AIRTEL OFFICE,
NANDIDURGA ROAD,
BENGALURU - 560 046.

...PETITIONER

(BY SMT.JAYNA KOTHARI, SENIOR ADVOCATE FOR
SRI. NAVEEN CHANDRA V., ADVOCATE)

AND:

STATE OF KARNATAKA,
J.C.ROAD P.S.,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA,
HIGH COURT BUILDING,
BENGALURU - 560 001.

...RESPONDENT

(BY SMT.M.M.WAHEEDA, HCGP)

THIS CRL.P. IS FILED U/S 439 OF CR.PC (FILED U/S 483
BNSS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN
CONNECTION WITH FIR BEARING CR.NO.46/2013 REGISTERED
BY J.C.NAGAR P.S. BENGALURU FOR THE OFFENCE P/U/S 406,
468, 420, 504, 506 OF THE IPC 1860 IN SPLIT UP IN



C.C.NO.43065/2025 PENDING ON THE FILE OF THE VIII
A.C.J.M BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

This petition under Section 483 of the Bharatiya Nagarika
Suraksha Sanhita, 2023 (for short, 'BNSS') is by accused in
Crime No.46/2013 registered by J.C.Nagar Police Station,
Bengaluru for the offences punishable under Sections 406, 468,
420, 504 and 506 of IPC, 1860 pending on the file of VII Addl.
Chief Judicial Magistrate, Bengaluru.

2. Smt. Jayna Kothari, learned Senior Counsel appearing for
Sri Navin Chandra V., learned counsel for the petitioner submits
that the case arises out of a purported transaction relating to
immovable property and the alleged failure to complete the
same. It is submitted that the entire dispute at best is civil in
nature and the essential ingredients of the alleged offences are
missing. It is further submitted that the accused shall
participate in the trial forthwith without fail as and when
required.



3. Smt. M.M. Waheeda, learned HCGP appearing for the respondent-State opposing the petition submits that the trial Court while rejecting his bail application had noted that the petitioner had absconded and did not participate in the trial and a separate split case was registered against him and NBW came to be issued against him. If the petitioner/accused is released on bail, there is a serious apprehension that he may abscond again and may not participate in the trial.

4. Considering the submissions made by learned Senior Counsel for the petitioner and learned HCGP and also on perusal of the material on record, it is evident that the petitioner was granted bail with conditions imposed therein. Later, the petitioner has violated the bail conditions in not appearing before the Court for trial. The petitioner was secured before the Court by issuance of NBW and proclamation. The bail earlier granted was cancelled by the Trial Court due to not adhering to the conditions and also with an observation that the petitioner, if granted bail, again would violate the bail conditions and may not subject himself to the trial.



5. Learned Senior counsel further submits that the non-appearance before the Trial Court was due to miscommunication of dates and the petitioner would appear on all dates before the Trial Court unless exempted. There is no doubt that the petitioner has violated bail conditions in not appearing before the Trial Court during the course of trial. *Prima facie*, there is violation of bail conditions. That itself may not be sufficient to deny bail, if the presence of the petitioner can be secured before the Trial Court with stringent conditions. If bail is not considered, it would affect the personal liberty of the petitioner. This Court finds no compelling reasons to deny bail to the petitioner.

6. In view of the above, the following:

ORDER

- (i) The Criminal Petition is ***allowed***.
- (ii) The petitioner/accused shall be enlarged on bail in Crime No.46/2013 registered by J.C.Nagar Police Station, Bengaluru for the offences punishable under Sections 406, 468, 420, 504 and 506 of IPC, 1860 pending on the file of VII Addl. Chief Judicial



Magistrate, Bengaluru, subject to the following conditions:

- a) The petitioner/accused shall execute a personal bond for a sum of Rs.1,00,000/- with two local sureties for the like sum, to the satisfaction of the jurisdictional Court.
- b) The petitioner/accused shall appear regularly on all dates of hearing before the Trial Court unless their appearance is exempted by the Trial Court for valid reasons;
- c) The petitioner/accused shall not directly or indirectly threaten or tamper with the prosecution witnesses;
- d) The petitioner/accused shall not involve in any offences in future; and



e) In addition the petitioner/accused shall also deposit Rs.5,00,000/- (Rupees five Lakh) only before the jurisdictional Court. If the petitioner/accused fails to appear before the Trial Court unless exempted by the Court, the Trial Court shall forfeit the amount so deposited to the State-exchequer.

(f) The amount of Rs.5,00,000/- to be deposited within two weeks.

SD/-
(K. V. ARAVIND)
JUDGE

KA*

List No.: 1 Sl No.: 114