



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. 7230 OF 2026

BETWEEN:

SRI. ANANTHAKRISHNA SHANBAGH,
S/O LATE KATPADI SHANTARAM,
AGED ABOUT 29 YEARS,
R/A DOOR NO.12-100,
LAXMI NAGAR, LAXMI COFFEE WORKS,
TENKANIDIYOOR, KRODASHRAMA,
KODAVOOR, UDUPI - 576 106.

...PETITIONER

(BY SRI. BALAKRISHNA M R., ADVOCATE)

AND:

STATE OF KARNATAKA,
BY S.H.O., MALPE POLICE STATION,
REPRESENTED BY ITS
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001.

...RESPONDENT

(BY SMT.RASHMI PATEL, HCGP)

THIS CRL.P. IS FILED U/S.438 (FILED U/S.482 BNSS)
CR.P.C PRAYING TO GRANT HIM ANTICIPATORY BAIL
DIRECTING THE RESPONDENT MALPE POLICE STATION TO
RELEASE HIM ON BAIL IN THE EVENT OF HIS ARREST IN
CRIME NO.40/2026 REGISTERED BY THE RESPONDENT MALPE
POLICE STATION U/S.61(2), 316(4), 316(5), 318(3), 318(4),
319(2), 335, 336(3), 338, 339, 34, 351(4), 78 OF BNS 2023
AND SEC.66-C, 66-D, 66-E OF IT ACT ON PRINCIPAL SR.CIVIL
JUDGE AND ACJM UDUPI.



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 is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/accused No.1 in Crime No.40/2026 registered by the Malpe Police Station, Udupi for the offences punishable under Sections 61(2), 316(4), 316(5), 318(4), 319(2), 335, 336(3), 338, 339, 344, 351(4) and 78 of BNS, 2023 and Sections 66(C), 66(D) and 66(E) of the Information Technology Act, 2000.

2. Learned counsel for the petitioner submits that the complaint is filed by the mother of the petitioner/accused No.1 alleging forgery of the Will. It is submitted that the civil disputes are pending between the complainant and the accused persons. It is further submitted that the offences as alleged in the complaint are not attracted to the facts of the present case.



3. Learned High Court Government Pleader appearing for the respondent - State submits that if the petitioner is granted anticipatory bail, the petitioner may not participate in the investigation, engage in tampering the evidence and may tamper the Will in dispute.

4. Considered the submissions made by the learned counsel for the petitioner and learned High Court Government Pleader. *Prima facie*, perusal of the complaint, it is clear that the dispute is with regard to the genuineness of the Will. The complaint is filed by the mother against the son. It is also to be noted that proceedings against accused No.2 is stayed by this Court and bail is granted insofar as accused Nos.3 to 5, who are the signatories to the Will. The dispute is of civil in nature, *prima facie*, the ingredients to attract the alleged offences are not available.

5. In the light of the above, the following:



ORDER

(a) The Criminal Petition is ***allowed***.

(b) The respondent-Police is directed to release the petitioner/accused No.1, in the event of his arrest Crime No.40/2026 registered by the Malpe Police Station, Udupi for the offences punishable under Sections 61(2), 316(4), 316(5), 318(4), 319(2), 335, 336(3), 338, 339, 344, 351(4) and 78 of BNS, 2023 and Sections 66(C), 66(D) and 66(E) of the Information Technology Act, 2000, subject to the following conditions:

(i) The petitioner/accused No.1 shall appear before the Investigating Officer within 15 days from the date of receipt of copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh) only with two sureties for the likesum to the satisfaction of the Investigating Officer.

(ii) Petitioner shall regularly appear before the Trial court without fail unless exempted by the Trial court.



(iii) Petitioner shall not tamper with the prosecution witness and shall co-operate with the Police for investigation and appear before them whenever called upon.

(iv) The petitioner shall not indulge in any criminal activities.

In case if the petitioner violates any of the aforesaid conditions, liberty is reserved with the prosecution to file appropriate application for cancellation of bail.

Sd/-
(K. V. ARAVIND)
JUDGE

KA
List No.: 1 Sl No.: 120
CT: SN