



CNR: KAHC010493872026

NC: 2026:KHC:39672
CRL.RP No. 1155 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

BEFORE

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

CRIMINAL REVISION PETITION NO.1155 OF 2026

BETWEEN:

SRI. S. RANGANATH
S/O M. SURESH ACHARYA,
AGED ABOUT 35 YEARS,
RESIDING AT NO.185,
4TH CROSS, 1ST MAIN,
CHOWDESHWARI NAGAR,
LAGGERE, BENGALURU-560047

...PETITIONER

(BY SRI. BHADRINATH R, ADVOCATE)

AND:

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

M/S. MANAPPURAM CHITS (K) PVT. LTD.,
88/1F, 1ST FLOOR, V.S.ARCAD, II STAGE, SHANKARMUTT BUS STOP,
BASAVESHWARNAGAR,
BENGALURU-560 079.
BRANCH: BASAVESHWARNAGAR,
REP. BY ITS SENIOR ASSISTANT,
SRI. SUBHANI SHAIK,
AGED ABOUT 35 YEARS,
S/O MOULALI.

...RESPONDENT

THIS CRL.RP IS FILED UNDER SECTION 438 R/W 442 OF
BNSS PRAYING TO SET ASIDE THE JUDGEMENT DATED



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19.06.2026 IN CRL.A.NO.576/2026 PASSED BY THE LII ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-53) AT ANNEXURE-A 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

This revision petition is filed against the judgment of conviction and sentence dated 04.12.2025 passed in C.C.No.177/2020 by the Trial Court and also against the judgment of confirmation dated 19.06.2026 passed in Crl.A.No.576/2026 by the Appellate Court.

2. This matter is listed for admission. Heard learned counsel appearing for the petitioner.

3. The factual matrix of case of the petitioner before the Trial Court is that the complainant company is a chit company registered under the companies Act, 1956. Accused subscribed to a chit group No.BSN002LH with ticket No.20 for a sum of Rs.10 lakh payable at the rate of Rs.20,000/- per month for a period of 50 months. Thereafter, accused participated in



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the chit auction and received the prize amount of Rs.8,20,000/- after deducting the bid amount on 27.02.2018 by executing on demand promissory note, surety form, guarantee bond and other relevant documents in favour of complainant. Further, accused has paid 25 installments and thereafter he has defaulted to make payment of chit installments from 26 to 50 months. Since accused failed to make payment, complainant was forced to issue a legal notice to accused and other guarantors. Thereafter, the complainant filed a dispute before the Deputy Registrar of Chits for recovery of balance amount of Rs.5,77,440/- and Court notice has been issued to accused. Thereafter, accused approached the complainant company and issued a Cheque for Rs.6,43,418/- towards the payment of claim amount in dispute and requested not to proceed with the award passed by the Deputy Registrar of Chits, Bengaluru. When the said Cheque was presented, the same was returned with an endorsement 'funds insufficient'. Thereafter, the complainant issued legal notice and the same was served on the accused but the accused did not repay the amount. Hence, complaint has been lodged, cognizance was taken and accused



was secured before the Court and he did not plead guilty and claims the trial.

4. In order to prove the case of the complainant company, two witnesses were examined as PW1 and PW2 and got marked the documents at Ex.P1 to P13. The accused has not led any defence evidence and also not produced any documents. The Trial Court having considered both oral and documentary evidence placed on record and also relying on the judgment of the Apex Court reported in (2010) 11 SCC 441 in the case of Rangappa vs Mohan, comes to the conclusion that once the complainant establishes the issuance and bouncing of Cheque, the presumption as to issuance of Cheque towards discharge of legally enforceable debt as contemplated under Section 139 of N.I. Act would fall in favour of the complainant and it is for the accused to rebut the said presumption with probable defence but accused has not cross-examined PW2 and not led his defence evidence to rebut the said presumption. As such, the presumption in favour of the complainant stood un rebutted and unchallenged. Hence, convicted and sentenced the accused.



5. Being aggrieved by the judgment of the Trial Court, an appeal was preferred before the Appellate Court. The Appellate Court also having considered both oral and documentary evidence placed on record comes to the conclusion that the Trial Court has rightly considered the material on record while convicting the accused and hence, confirmed the judgment of the Trial Court.

6. Being aggrieved by the concurrent finding of both the Courts, the present revision petition is filed before this Court.

7. The main contention of the counsel appearing for the petitioner is that as per the instructions of one G. Veeresh, Branch Manager, has said to have issued a legal notice dated 27.09.2019 which is marked as Ex.P5 and said, G. Veeresh has no authority to give instructions to issue the legal notice. Hence, the subsequent complaint and proceedings are not maintainable and are liable to be dismissed or quashed.

8. Having heard the learned counsel for the petitioner and also on perusal of the material on record, it discloses that



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when the notice was issued and the same was served, no such defence was taken and also no reply was given. When the complaint was also filed before the Trial Court and witness PW1 was examined, no such cross-examination was made disputing the very locus of issuance of notice and filing of the complaint and even not led any defence evidence. Without any foundation before the Trial Court and the evidence of PW1 is not disputed and unchallenged, the very ground urged before this Court cannot be entertained by sitting in the revision. The scope of revision is very limited. Only in a case of miscarriage of justice and if the order suffers from its legality and correctness, then this Court can entertain the revision and no such circumstances are warranted in the case on hand. Hence, no ground is made out to entertain this revision petition. Thus, revision petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

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