



CNR: KAHC010519412026

NC: 2026:KHC:48506
CRL.P No. 11403 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

CRIMINAL PETITION NO.11403 OF 2026 (482(Cr.PC) / 528(BNSS))

BETWEEN:

SRI. VENKATESH
S/O. ANJANAPPA
AGED ABOUT 51 YEARS,
RESIDING AT METIKURKE VILLAGE,
CHITRADURGA DIST- 577 599.

...PETITIONER

(BY SRI. VENUGOPAL K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY RAJARAJESHWARI NAGARA POLICE STATION,
BENGALURU-560 098
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.

2. VENKATACHALAM
S/O LATE CHINNATHAMBI,
AGED ABOUT 45 YEARS,
R/AT NO.51, MITTAPALLI VILLAGE,
UTHANGARAI TALUK, KRISHNAGIRI,
TAMILNADU-635 001.

...RESPONDENTS

(BY SMT. DEEPTHI ALVA, HCGP FOR R-1;
VIDE ORDER DATED 08.09.2026 NOTICE TO R-2 IS D/W)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS)
PRAYING TO QUASH THE PROCEEDINGS IN S.C.NO.758/2019 PENDING
ON THE FILE OF THE LEARNED CCH-57 LVI ADDL. CITY CIVIL AND
SESSIONS JUDGE AT BENGALURU FOR THE OFFENCE P/U/S 143, 147,
148, 435, 427, 324 AND 307 R/W 149 OF IPC AND SECTIONS 2(a) P.D.L.P
ACT, IN SO FAR AS THE PETITIONER HEREIN IS CONCERNED.

Digitally
signed by
VANDANA S
Location:
High Court
of Karnataka



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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, petitioner seeks quashing of the proceedings in S.C.No.758/2019 on the file of the LVI Addl. City Civil & Sessions Judge, Bengaluru (CCH-57), arising out of Crime No.165/2016 registered by the 1st respondent - Police for offences punishable under Sections 143, 147, 148, 435, 427, 324 and 307 r/w 149 of IPC and Sections 2(a) P.D.L.P.Act.

2. Heard learned counsel for the petitioner and learned HCGP for respondent No.1 and perused the material on record. For the order proposed, notice to respondent No.2 is dispensed with.

3. A perusal of the material on record will indicate that the petitioner was arraigned as accused No.24 along with 25 others, who were arraigned as accused Nos.1 to 23 and 25 and 26 in the charge sheet in S.C.No.758/2019 pursuant to FIR in Crime No.165/2016. The offences alleged against the petitioner and



other accused are under Sections 143, 147, 148, 435, 427, 324, 307 read with Section 149 of IPC and Sections 2(a) PDLP Act.

4. In this context, learned counsel for the petitioner invited my attention to the order dated 02.07.2025 passed in Crl.P.No.10613/2024 as against accused No.15 and order dated 12.12.2025 passed in Crl.P.No.16874/2025 in order to point out that in view of the quashment of the aforesaid offences against accused Nos.1, 2, 3, 6, 10, 11, 15, 17, 18, 19, 21 and 26, the petitioner, who is arrayed as accused No.24, would be entitled to seek parity.

5. This Court in the cases of ***Venkatesh Vs. State of Karnataka and Anr – Crl.P.No.10613/2024*** dated ***02.07.2025*** and ***Rakshith and Ors., Vs. State of Karnataka and Anr., - Crl.P.No.16874/2025*** dated ***12.12.2025***, quashed the criminal proceedings *qua* accused Nos.1, 2, 3, 6, 10, 11, 15, 17, 18, 19, 21 and 26 in S.C.No.758/2019.

6. In Crl.P.No.10613/2024, this Court held as under:

"In this petition, petitioner seeks the following reliefs:



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“Wherefore, it is respectfully prays that, this Hon’ble Court may be pleased to call for records in S.C.No.758/2019 (in crime No.165/2016) on the file of LXVI Addl. City Civil and Sessions Judge at Bangalore of respondent Rajarajeshwari Nagar police and quash the proceedings in S.C.No.758/2019 (in crime No. 165/2016) on the file of LXVI Addl. City Civil and Sessions Judge at Bangalore Police station for the offences punishable under Sections 143, 148, 147, 435, 427, 324, 307 R/w 149 of IPC and Section 2(a) of P.D.PP Act, and pass such necessary order as this Hon’ble Court deems fit, in the interest of justice and equity.”

2. Heard learned counsel for the petitioner, learned HCGP for respondent No.1 and perused the material on record. Both counsel jointly submit that for the purpose of disposal of the present petition, notice to respondent No.2 may be dispensed with. Submission is placed on record and accordingly, notice to respondent No.2 is dispensed with at the risk of the petitioner.

3. A perusal of the material on record will indicate that on 12.09.2016, the respondent No.2-defacto complainant filed a complaint stating that on that day there were riots resulting in about 40-45 unknown persons committing vandalism against buses, vehicles etc., near KPN Travels, Rajarajeshwari Nagar, Bengaluru. In pursuance of the same, investigation was conducted and the respondent No.1 filed a charge sheet which is currently pending in



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S.C.No.758/2019 before the Trial Court for alleged offences punishable under Sections 143, 148, 149, 324, 427 and 435 of IPC and Section 2(a) of Prevention of Destruction and Loss of Property Act, 1981. The petitioner who is arraigned as accused No.15 in the impugned charge sheet and proceedings is before this Court by way of the present petition seeking quashing of the impugned proceedings and for other reliefs.

4. *A perusal of the material on record will indicate that as stated supra, the name of the petitioner is not forthcoming in the impugned complaint and FIR which was lodged and registered against 40-45 unknown persons; it is only after investigation that the petitioner is sought to be arraigned as accused No.15 in the impugned proceedings. In this context, it is relevant to state that a perusal of the charge sheet material including statements of witnesses at CW-1 to CW-67 and the documents produced along with the charge sheet is sufficient to come to the conclusion that there is absolutely no material to incriminate the petitioner – accused No.15 for the alleged offences; in fact, neither the alleged test identification parade nor the statements of witnesses establish the presence of the petitioner – accused No.15 at the spot on the date of the alleged incident.*

5. *Under these circumstances, in the absence of any material which would disclose the commission of the alleged offences by the petitioner, I am of the considered opinion that continuation of the impugned proceedings qua*



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the petitioner would amount to abuse of process of law warranting interference by this Court in the present petition.

6. *In the result, I pass the following:*

ORDER

- i) *The petition is hereby allowed.*
- ii) *The impugned proceedings in S.C.No.758/2019 arising out of Crime No.165/2016 on the file of LXVI Additional City Civil and Sessions Judge, Bengaluru for the offences punishable under Sections 143, 148, 147, 435, 427, 324, 307 r/w 149 of IPC and Section 2(a) of Prevention of Destruction and Loss of property Act, insofar as the petitioner is concerned, are hereby quashed."*

7. In Crl.P.No.16874/2025, this Court held as under:

"In this petition, the petitioners seek the following reliefs:

"WHEREFORE, the petitioners named above pray that, this Hon'ble court be pleased to call for records and quash the entire proceedings in SC No 758/2019 now pending on the file of the learned CCH-67 LXVI Addl City Civil and Sessions Judge Bengaluru for the offence punishable under sections 143, 147, 148, 435, 427, 324 and 307 R/w 149 of IPC and Sections 2(a) P.D.P Act., in so far as the petitioners herein is concerned, to meet the ends of justice."



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2. *Heard the learned counsel for the petitioners, learned HCGP for respondent No.1 and perused the material on record. For the order proposed, notice to respondent No.2 is dispensed with.*

3. *A perusal of the material on record will indicate that the petitioners are accused Nos.1, 2, 3, 6, 10, 11, 17, 18, 19, 21, and 26 in the impugned proceedings in S.C.No.758/2019 instituted by respondent No.1 pursuant to the complaint given by respondent No.2 for offences punishable under Sections 143, 147, 148, 435, 427, 324 and 307 read with Section 149 of the IPC and Sections 2(a) of the Prevention of Destruction and Loss of property Act, 1984.*

4. *Accused No.15 - Venkatesh approached this Court in Crl.P.No.10613/2024, which was allowed and disposed of vide final order dated 02.07.2025 quashing the impugned proceedings qua the said petitioner - Venkatesh, accused No.15, by holding as under:*

"In this petition, petitioner seeks the following reliefs:

"WHEREFORE, it is respectfully prays that, this Hon'ble Court may be pleased to call for records in S.C.No.758/2019 (in crime No.165/2016) on the file of LXVI Addl. City Civil and Sessions Judge at Bangalore of respondent Rajarajeshwari Nagar police and quash the proceedings in S.C.No.758/2019 (in crime No. 165/2016) on the file of LXVI Addl. City Civil and Sessions Judge at Bangalore Police station for the offences punishable under Sections 143, 148, 147, 435, 427, 324, 307 R/w 149 of IPC and Section 2(a) of P.D.PP



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Act, and pass such necessary order as this Hon'ble Court deems fit, in the interest of justice and equity."

2. *Heard learned counsel for the petitioner, learned HCGP for respondent No.1 and perused the material on record. Both counsel jointly submit that for the purpose of disposal of the present petition, notice to respondent No.2 may be dispensed with. Submission is placed on record and accordingly, notice to respondent No.2 is dispensed with at the risk of the petitioner.*

3. *A perusal of the material on record will indicate that on 12.09.2016, the respondent No.2-defacto complainant filed a complaint stating that on that day there were riots resulting in about 40-45 unknown persons committing vandalism against buses, vehicles etc., near KPN Travels, Rajarajeshwari Nagar, Bengaluru. In pursuance of the same, investigation was conducted and the respondent No.1 filed a charge sheet which is currently pending in S.C.No.758/2019 before the Trial Court for alleged offences punishable under Sections 143, 148, 149, 324, 427 and 435 of IPC and Section 2(a) of Prevention of Destruction and Loss of Property Act, 1981. The petitioner who is arraigned as accused No.15 in the impugned charge sheet and proceedings is before this Court by way of the present petition seeking quashing of the impugned proceedings and for other reliefs.*

4. *A perusal of the material on record will indicate that as stated supra, the name of the petitioner is not forthcoming in the impugned complaint and FIR which was lodged and registered against 40-45 unknown persons; it is only after investigation that the petitioner is sought to be arraigned as accused No.15 in the impugned proceedings. In this context, it is relevant to state that a perusal of the charge sheet material including statements of witnesses at CW-1 to CW-67 and the documents produced along with the charge sheet is sufficient to come to the conclusion that there is absolutely no material to incriminate the petitioner – accused No.15 for the alleged offences; in fact, neither the alleged test identification parade nor the*



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statements of witnesses establish the presence of the petitioner – accused No.15 at the spot on the date of the alleged incident.

5. Under these circumstances, in the absence of any material which would disclose the commission of the alleged offences by the petitioner, I am of the considered opinion that continuation of the impugned proceedings qua the petitioner would amount to abuse of process of law warranting interference by this Court in the present petition.

6. In the result, I pass the following:

ORDER

i) The petition is hereby allowed.

ii) The impugned proceedings in S.C.No.758/2019 arising out of Crime No.165/2016 on the file of LXVI Additional City Civil and Sessions Judge, Bengaluru for the offences punishable under Sections 143, 148, 147, 435, 427, 324, 307 r/w 149 of IPC and Section 2(a) of Prevention of Destruction and Loss of property Act, insofar as the petitioner is concerned, are hereby quashed."

5. A perusal of the complaint, FIR, charge sheet materials, statement of witnesses, documents, etc., will indicate that the allegations made against the said accused No.15 - Venkatesh, who was the petitioner in Crl.P.No.10613/2024 and the present petitioners, who are the other accused as stated supra are common and consequently, by applying / invoking the doctrine of parity, I deem it just and appropriate to quash the impugned proceedings for the present petitioners also.

6. In the result, I pass the following:

ORDER



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i) *The petition is hereby allowed.*

ii) *The impugned proceedings in S.C.No.758/2019 arising out of Crime No.165/2016 on the file of LXVI Additional City Civil and Sessions Judge, Bengaluru for the offences punishable under Sections 143, 148, 147, 435, 427, 324, 307 read with Section 149 of IPC and Section 2(a) of Prevention of Destruction and Loss of property Act, 1984, insofar as the petitioners are concerned, are hereby quashed.”*

8. In the instant case, it is an undisputed fact that proceedings as against accused Nos.1, 2, 3, 6, 10, 11, 15, 17, 18, 19, 21 and 26 have been quashed by this Court in Crl.P.No.10613/2024 and Crl.P.No.16874/2025 and consequently, by applying the doctrine of parity, proceedings against the petitioner - accused No.24 in this petition also deserves to be quashed.

9. In the result, I pass the following:

ORDER

(i) The petition is hereby ***allowed***.

(ii) The impugned proceedings in S.C.No.758/2019 arising out of Crime No.165/2016 on the file of LXVI Additional City Civil



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and Sessions Judge, Bengaluru for the offences punishable under Sections 143, 148, 147, 435, 427, 324, 307 read with Section 149 of IPC and Section 2(a) of Prevention of Destruction and Loss of Property Act, 1984, insofar as the petitioner is concerned, are hereby quashed.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE