



CNR: KAHC010531702026

NC: 2026:KHC:48962
CRL.P No. 11665 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 11665 OF 2026

BETWEEN:

MAHAMMED RAFI YAANE RAGHU,
AGED ABOUT 46 YEARS,
S/O AMEER SAB,
R/O NO.170, MOODUVALTHURU,
KAVRADY VILLAGE, KUNDAPURA TALUK,
UDUPI DISTRICT-576 211.

...PETITIONER

(BY SRI.S.M.ANFAL, ADVOCATE FOR
SRI.K.PRASANNA SHETTY, ADVOCATE)

AND:

STATE BY RANGE FOREST OFFICER,
KUNDAPURA RANGE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001.

...RESPONDENT

(BY SRI. RAHUL RAI.K, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS) TO ENLARGE THE PETITIONER ON ANTICIPATORY BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.33/2025-26 OF R.F.O., KUNDAPURA RANGE FOR THE OFFENCES P/U/S 33(II)V, 71A, 80, 84, 86, 87 OF KARNATAKA FOREST ACT 1963 AND RULES 144, 165 OF KARNATAKA FOREST RULES 1969.

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

Digitally
signed by
CHETAN B C

Location:
High Court
of Karnataka



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Petitioner who is apprehending arrest in Crime No.33/2025-26 registered by the Range Forest Officer, Kundapura Range, Udupi district, for offences punishable under Sections 33(II)(V), 71A, 80, 84, 86, 87 of Karnataka Forest Act, 1963 and Rules 144, 165 of Karnataka Forest Rules, 1969, is before this Court in this petition filed under Section 482 of the BNSS, 2023 seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. Based on the report dated 4.1.2026 received from the Range Forest Officer, Aluru, Kundapura division, FIR was registered for the aforesaid offences against the petitioner herein. Apprehending arrest in the case, petitioner had filed Crl.Misc.No.530/2026 before the jurisdictional Sessions Court which was rejected on 17.02.2026, therefore, he is before this Court.



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4. In the first information dated 4.1.2026 submitted by the Range Forest Officer, Aluru, Kundapura division, it is stated that on 03.01.2026, within the limits of Kundapura Range, standing sandalwood tree found in Sy.No.110 of Aluru Village, belonging to the government was cut and an attempt was made to transport the pieces of the sandalwood tree in a car bearing registration No.KA19 MA 8910. The sandalwood billets totally weighing 13 kgs 330 grams and the aforesaid car were seized from the spot. In the first information/report which was submitted on 4.1.2026, it is not mentioned that the person who had cut and removed sandalwood tree on 3.1.2026 was the petitioner herein. However, the material made available to this Court by learned HCGP would reveal that on 03.01.2026 itself, the forest guards had prepared the panchanama regarding the seizure of the aforesaid vehicle and also the sandalwood billets as aforestated. In the panchanama, there is a mention that the forest guards had seized the car of the accused who was loading the sandalwood billets and one of the forest guard had even identified him as the petitioner. In spite of the same, in the report which was filed subsequently, based



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on which the FIR has been registered, the name of the petitioner is not found. Even prior to registration of the FIR, recovery mahazar has been prepared in the present case. It is not in dispute that the petitioner has no other criminal antecedents. He has undertaken to cooperate with the investigation officer.

5. Considering the aforesaid aspects of the matter, the following:

ORDER

(i) Criminal Petition is ***allowed***.

(ii) The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.33/2025-26 registered by Range Forest Officer, Kundapura Range, Udupi district, for the offences punishable under Sections 33(II)(V), 71A, 80, 84, 86, 87 of Karnataka Forest Act, 1963 and Rules 144, 165 of Karnataka Forest Rules, 1969, subject to the following conditions:



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1. The Petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.

2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

3. Petitioner shall not tamper with the prosecution witnesses and he shall co-operate with the police for investigation and appear before them whenever called upon.

4. The petitioner shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE