



CNR: KAHC010580332026

NC: 2026:KHC:51497
CRL.P No. 12848 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12848 OF 2026

BETWEEN:

1. SHIVAPRASAD @ SHIVU GANIKAPATI SIVA PRASAD
C/O MUSILI,
AGED ABOUT 41 YEARS,
R/AT 4-158, NEAR BODDU RAI CENTER,
DACHEPALLE,
GUNTUR DISTRICT,
ANDHRA PRADESH - 522 414.
(AS PER AADHAR CARD)
2. TIRUPATHIRAO @ PASAM TIRUPATHIRAO.
S/O PASAM RADHA KRISHNAMURTHI,
AGED ABOUT 41 YEARS,
R/AT NO.425/19/1, SRIRAM NAGAR,
A T AGRAHARAM, GUNTUR COLLECTORATE,
GUNTUR DISTRICT,
ANDHRA PRADESH - 522 004.

...PETITIONERS

(BY SRI. MAHAMMAD ANWAR, ADVOCATE)

AND:

STATE OF KARNATAKA
BY MADIWALA POLICE STATION
REP. BY SPP, HIGH COURT BUILDING,
BANGALORE-560001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)



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THIS CRL.P IS FILED U/S 438 OF CR.P.C. (FILED U/S 482 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO RELEASE THEM ON ANTICIPATORY BAIL IN THE EVENT OF ARREST IN CRIME NO.17/2026 FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 336(2), 336(3), 318(3), 316(2), 319(2), 314, 315, 61(2) R/W 3(5) OF BNS, 2023 PERTAINING TO MADIWALA POLICE STATION, WHICH WAS PENDING BEFORE HONBLE III ADDL. CHIEF JUDICIAL MAGISTRATE, AT BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused Nos.5 and 6 are before this Court in this petition filed under Section 482 of BNSS, 2023 seeking anticipatory bail in Crime No.17 of 2026 registered by Madivala Police Station, Bengaluru City for the offences punishable under Section 336(2), 336(3), 318(3), 316(2), 319(2), 314, 315, 61(2) read with Section 3(5) of BNS, 2023.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.17 of 2026 was registered by Madivala Police Station, Bengaluru City for the aforesaid



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offences against Siddarth R., based on the first information dated 17.01.2026 received from Ganapathy P.B, Associate Vice President (Legal) TATA AIA Life Insurance Company Ltd. Apprehending arrest in the said case, the petitioners had approached before the jurisdictional Sessions Court in Crl.Misc.No.7430 of 2026, which was rejected on 06.08.2026. Therefore, they are before this Court.

4. Learned counsel for the petitioners having reiterated the grounds urged in the petition submits that there is a delay of 3 months in approaching the police. A reading of the first information would go to show that there is absolutely no allegation in the same as against the petitioners. All allegations are only as against accused No.1, who has been arrested and thereafter released on bail by the learned Magistrate. He submits that even in the remand application of accused No.1, there is no allegation as against the petitioners. The maximum punishment for



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the alleged offences is imprisonment for a period of 7 years. Accordingly, he prays to allow the petition.

5. *Per contra*, learned High Court Government Pleader who has opposed the petition submits that anticipatory bail application of accused No.1 filed before this Court in Crl.P.No.2888 of 2026 was rejected on 25.03.2026. Thereafter, he was arrested on 29.06.2026. He submits that during the course of interrogation of accused No.1 he has stated about the role of the present accused persons. He submits that the accused persons allegedly had provided all the fake documents to accused No.1 to commit the alleged crime. Therefore, custodial interrogation of the petitioners herein becomes necessary. Accordingly, he prays to dismiss the petition.

6. First information is submitted by the Authorized Representative of TATA AIA Life Insurance Company Ltd., on 17.01.2026, alleging that during the course of internal audit, it was found that accused No.1, who was



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employed in the complainant company had submitted fake claims based on fraudulent documents and misappropriated huge amount. Allegation as against accused No.1 is that he had made fake claims even in respect of persons who are alive, based on fraudulent and created documents and had misappropriated the claim amounts, thereby causing loss to the complainant company. Accused No.1 had approached this Court seeking anticipatory bail in Crl.P.No.2888 of 2026, which was rejected by the Co-ordinate bench of this Court on 25.03.2026. Subsequently, accused No.1 was arrested on 29.06.2026 and he was granted regular bail by the jurisdictional Court of Magistrate on 08.07.2026.

7. It is brought to the notice of this Court by learned High Court Government Pleader that accused No.1 during the course of his interrogation has revealed that the petitioners herein were the persons who had provided fake documents so as to enable accused No.1 to make fake claims and misappropriate the public money.



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Considering the nature of allegations found in the first information, the role of accused persons in committing the alleged crime cannot be ruled out.

8. The Hon'ble Supreme Court in the case of ***P. Chidambaram v. Directorate of Enforcement*** reported in ***(2019) 9 SCC 24***, has held that Court should be cautious while granting anticipatory bail in cases involving economic offences.

9. Considering the nature of allegations found in the first information and the alleged role played by the accused persons, I am of the opinion that their custodial interrogation becomes very necessary. Accordingly, the following:

ORDER

(i) The criminal petition is ***dismissed***.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE