



CNR: KAHC010622782026

NC: 2026:KHC:53522
CRL.P No. 14163 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14163 OF 2026

BETWEEN:

1. GANGANAHALLI MUDDE GOWDA SAMPATH,
S/O MUDDE GOWDA, DWC32/A
HUTTHA COLONY, BHADRAVATI,
BHADRAVATI (T), SHIVAMOGGA (D)
KARNATAKA - 577 301.
2. CHIKKEGOWDA JAHNAVI.
W/O MUDDE GOWDA, DWC32/A
HUTTHA COLONY, BHADRAVATI,
BHADRAVATI (T), SHIVAMOGGA (D)
KARNATAKA - 577 301.

...PETITIONERS

(BY SRI. SHIVA KUMARA K.S, ADVOCATE)

AND:

1. STATE BY BHADRAVATHI POLICE STATION.
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.
2. STATE BY WEST BENGAL POLICE STATION,
CALCUTTA, JURIDICTIONAL POLICE STATION,
CALCUTTA.



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3. PIRAMAL FINANCE LIMITED
REP. BY ITS AUTHORIZED REPRESENTATIVE,
PRIVATE COMPLAINANT PCR
JURISDICTIONAL POLICE STATION,
CALCUTTA, AT WEST BENGAL - 700 001.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1 AND R2;;

SRI. S. LAKSHMINARAYANA, ADVOCATE FOR R3)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) OF CR.P.C PRAYING TO A. GRANT THE PETITIONER TRANSIT ANTICIPATORY BAIL/LIMITED INTERIM PROTECTION FROM ARREST IN CONNECTION WITH CASE NO.CS/481658/25 PENDING BEFORE THE LEARNED JUDICIAL MAGISTRATE, 3RD COURT, CALCUTTA ARISING OUT OF THE ALLEGATION U/S 316(2) AND 318(4) OF BNS 2023.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Petitioners are before this Court in this petition filed under Section 482 of BNSS, 2023, seeking transit anticipatory bail in Case No.CS/481658/25 pending before the Court of the learned Judicial Magistrate, 3rd Court,



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Calcutta, for the offences punishable under Section 316(2) and 318(4) of BNS, 2023.

2. Heard the learned counsel for the parties.

3. Learned counsel for the petitioners submits that the petitioners herein, who are husband and wife, had borrowed loan from respondent No.3-finance company at Bengaluru. For extraneous reasons, a private complaint is now filed before the Court of Magistrate at Calcutta only with an intention to coerce the petitioners. The petitioners intend to appear before the said Court and defend themselves. Since Non-Bailable Warrant has been issued against the petitioners, they apprehend arrest at the hands of the respondent-Police. He submits that, for a limited period, some protection may be given to the petitioners to enable them to travel to Calcutta and appear in the aforesaid case.

4. *Per contra*, learned High Court Government Pleader appearing for respondent-State and learned counsel for respondent No.3 have opposed the petition.



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They submit that, inspite of service of summons, the petitioners have not appeared before the Court of the learned Magistrate at Calcutta. Accordingly, they pray to dismiss the petition.

5. Perusal of the records would reveal that the petitioners have borrowed a loan from respondent No.3- finance company by mortgaging some property.

6. Learned counsel appearing for respondent No.3 submits that the said property has been mortgaged to several other financing companies and it is under these circumstances, a private complaint is filed against the petitioners herein before the jurisdictional Court of Magistrate at Calcutta for the aforesaid offences.

7. Material available on record would go to show that the learned Magistrate had issued summons to the petitioners herein in the aforesaid case and since they had not appeared before the said Court, Non-Bailable warrant has been now issued against them.



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8. Learned counsel for the petitioners has submitted that, for the reasons beyond the control of the petitioners, they could not appear before the Court at Calcutta after receiving the summons and now the police, at the instance of respondent No.3, are likely to arrest them.

9. Considering the nature of the dispute between the parties and also the fact that the petitioners are husband and wife and had borrowed financial assistance from respondent No.3-finance company, which has now initiated proceedings against them before the Court of the Magistrate at Calcutta, I am of the opinion that, if some protection is granted to the petitioners for a limited period so as to enable them to appear before the Court of the learned Magistrate, before whom the aforesaid case is pending consideration and file necessary application to protect their rights, the same would serve the ends of justice. Accordingly, the following:



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ORDER

- i) The criminal petition is ***allowed***.
- ii) The petitioners are granted transit anticipatory bail for a period of three weeks from the date of receipt of copy of this order and respondent-Police or any other Police are directed to enlarge the petitioners on bail in the event of their arrest in Case No.CS/481658/25 pending before the Court of learned Judicial Magistrate, 3rd Court, Calcutta for offences punishable under Section 316(2) and 318(4) of BNS, 2023, subject to following conditions:

a) The petitioners shall execute a personal bond for a sum of Rs.1,00,000/- each with one surety for the likesum to the satisfaction of the Investigating Officer;

b) The petitioners shall cooperate with the respondents for the purpose of investigation.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

SHS/List No.: 1 Sl No.: 83