



CNR: KAHC010623692026

NC: 2026:KHC:53372
CRL.P No. 13917 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 25TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 13917 OF 2026

BETWEEN:

KODI NAGESH KAMATH
AGED ABOUT 56 YEARS
S/O LATE UMANATH KAMTAH
R/O 3/7, LAKHADHINI
SRI RAM NAGARA, KODI VILLAGE
KUNDAPURA TALUK
UDUPI DISTRICT - 576 201.

...PETITIONER

(BY SRI K. PRASANNA SHETTY, ADV.)

AND:

STATE BY S.H.O
KUNDAPURA POLICE STATION
UDUPI DISTRICT, REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS)
PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN THE EVENT OF
THEIR ARREST IN CR.NO.50/2026 REGISTERED BY THE
RESPONDENT POLICE PENDING ON THE FILE OF THE 1ST
ADDL.CIVIL JUDGE (JR.DN) AND J.M.F.C COURT KUNDAPURA FOR
THE OFFENCE P/U/S 336(2),336(3),340(2) R/W 3(5) OF BNS 2023.

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



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CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.6 in Crime No.50/2026 registered by Kundapura Police Station, Udupi District, for the offences punishable under Sections 336(2), 336(3), 340(2) r/w Section 3(5) of BNS, 2023, is before this Court in this petition filed under Section 482 of BNSS, 2023 seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.50/2026 was registered by Kundapura Police Station, Udupi District, for the aforesaid offences against Ramachandra Kamath @ R G Kamat and others, based on the first information dated 04.06.2026 received from Suneel Deva Pai S/o late U Devaraya Pai. Apprehending arrest in the said case, petitioner had filed Crl.Misc.No.618/2026 before the jurisdictional Sessions Court, which was dismissed on 30.06.2026. Therefore, he is before this Court.

4. In the first information dated 04.06.2026, it is stated that, Krishnaraya Pai, who is the grandfather of the first



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informant, had purchased certain items of immovable properties in Kundapura Kasaba Village, under registered sale deed dated 01.07.1968 and after his death, his son U. Devaraya Pai @ Devarao, who is the father of the first informant, had succeeded to the said property and revenue records were also transferred to his name. Devaraya Pai had died on 10.11.2014 at Mumbai. Allegation in the first information is that accused Nos.1 and 2 along with other accused persons have created a forged General Power of Attorney dated 05.12.2025, purported to have been executed by aforesaid Late U. Devaraya Pai @ Devarao and by Late K. Anand @ K Anand Rao, advocate, in the name of accused No.2. It is alleged that accused No.1 had impersonated Late U. Devaraya Pai @ Devarao and Late K. Anand, also was impersonated by somebody and accused Nos.3 and 4 are said to be the attesting witnesses to the fraudulent General power of attorney dated 05.12.2025. Accused no.5 is said to be the Advocate, who had drafted the said deed. The allegation against petitioner is that he had supplied concocted and created adhaar card and other documents so as to enable accused No.1



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and another to impersonate Late U. Devaraya Pai @ Devarao and Late K. Anand @ K Anand Rao, before the office of Sub-Registrar for the purpose of execution of aforesaid GPA dated 05.12.2025.

5. Learned counsel for the petitioner has made an allegation that since petitioner was involved in similar other cases, he has been falsely implicated in the present case. I find some force in the said submission for the reason that in the typed first information submitted by the first informant, who hails from Mumbai, an allegation is made with regard to supply of fraudulent documents to accused Nos.1 and 2 by the petitioner. The source of such information becomes doubtful having regard to the nature of allegations found in the present case. Therefore, I am of the opinion that the prayer made by the petitioner for grant of anticipatory bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following order:-

6. The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to



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release the petitioner in the event of his arrest in Crime No.50/2026 registered by Kundapura Police Station, Udupi District, for the offences punishable under Sections 336(2), 336(3), 340(2) r/w Section 3(5) of BNS, 2023 subject to the following conditions:

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.



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

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 64