



CNR: KAHC010652762026

NC: 2026:KHC:55331
CRL.P No. 14699 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 14699 OF 2026

BETWEEN:

1. SRI K.S. MALEGOWDA
S/O LATE SOMEOWDA
AGED ABOUT 49 YEARS.
2. SRI RAJU M
S/O K.S. MALEGOWDA
AGED ABOUT 22 YEARS.

BOTH ARE RESIDING AT
DOOR NO.8/1, VIGNESHWARA NILAYA
VISHWESHWARA NAGAR
VIDYARANYAPURAM, MYSORE.

...PETITIONERS

(BY SRI UMESH R, ADV.)

AND:

THE STATE OF KARNATAKA
BY VIDHANA SOUDHA POLICE STATION
BANGALORE CITY, REPRESENTED BY ITS
PUBLIC PROSECUTOR HIGH COURT
COMPLEX, BANGALORE.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS)
PRAYING TO GRANT AN ORDER OF ANTICIPATORY BAIL IN THE
EVENT OF PETITIONERS/ ACCUSED NO.1 AND 2 ARREST FOR THE
ALLEGED OFFENCES PUNISHABLE UNDER SECTION 318(4) OF BNS
ACT, IN (CRIME NO.65/2026) OF VIDHANA SOUDHA POLICE
STATION WHICH IS PENDING ON THE FILE OF 41TH ADDITIONAL
CHIEF JUDICIAL MAGISTRATE AT BENGALURU



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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused Nos.1 and 2 in Crime No.65/2026 registered by Vidhana Soudha Police Station, Bengaluru, for the offence punishable under Section 318(4) 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.65/2026 was registered by Vidhana Soudha Police Station, Bengaluru, against the petitioners herein based on the first information dated 11.06.2026 received from Pavan Mallya S/o Krishna Mallya. Apprehending arrest in the case, petitioners had filed Crl.Misc.No.8332/2026 before the jurisdictional Sessions Court which was rejected on 05.09.2026. Therefore, they are before this Court.
4. In the first information submitted by the alleged victim on 11.06.2026, it is stated that he has got a property at Agumbe and one Sudhindra had encroached the said property.



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Subsequently, petitioner No.1 was introduced to him by Umesh Gowda, for the purpose of fencing the aforesaid property at Agumbe and removing the encroachment. The first informant allegedly had paid a total amount of Rs.3,50,000/- to the account of the accused persons, who are the father and son. On the allegation that subsequently, the accused persons had not fenced the property nor had repaid the amount received by them, first informant has approached the police.

5. The dispute between the parties basically appears to be civil in nature. The alleged offence is triable by the Court of Magistrate and the maximum punishment for the same is imprisonment for a period of seven years. Considering the nature of allegations found against the petitioners, who have undertaken to cooperate with the police for the purpose of investigation, the following order:-

6. The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.65/2026 registered by Vidhana Soudha Police Station, Bengaluru, for the



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offence punishable under Section 318(4) of BNS, 2023, subject to the following conditions:

1. The Petitioners 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/- each with two sureties for the likesum to the satisfaction of the investigating officer.
2. Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
3. Petitioners shall not tamper with the prosecution witnesses and they shall co-operate with the police for investigation and appear before them whenever called upon.
4. The petitioners shall not involve in similar offences in future.

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