HC-KAR

NC: 2026:KHC:23848
WP No. 13652 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 13652 OF 2026 (CS-RES)

BETWEEN:

1. SADASHIVA O
   S/O ELEYANNA POOJARY,
   AGED ABOUT 30 YEARS
   NO.4-118/2
   ODIPROTUU MAJALU MANE,
   BELALU
   DAKSHINA KANNADA - 574240

…PETITIONER

(BY SRI. SACHIN B S.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REP BY ITS SECRETARY
   DEPARTMENT OF CO-OPERATION,
   VIDHANA SOUDHA,
   BENGALURU - 56000.1

2. DEPUTY REGISTRAR OF
   CO-OPERATIVE SOCIETIES
   DAKSHINA KANNADA - 575001.

3. ASSISTANT REGISTRAR OF
   CO-OPERATIVE SOCIETIES
   BELTHANGADY SUB-DIVISION,
   MANGALORE, DAKSHINA KANNADA,
   575001.

Digitally signed by CHAYA S A
Location: HIGH COURT OF KARNATAKA

4. BELAL PRIMARY AGRICULTURE CREDIT
CO-OPERATIVE SOCIETY LTD
REP BY ITS PRESIDENT/SECRETARY,
POST BOX NO. F.F. 57,
BELTHANGADY POST,
BELALU,
DAKSHINA KANNADA - 574240,
REGISTERED UNDER THE SOCIETY
REGISTRATION ACT, 1959.

5. CHIEF EXECUTIVE OFFICER
BELAL PRIMARY AGRICULTURE
CREDIT CO-OPERATIVE SOCIETY LTD,
BELTHANGADY POST,
BELALU,
DAKSHINA KANNADA 57424.

6. BELAL PRIMAY AGRICULTURE CREDIT
CO-OPERATIVE SOCIETY LTD
REP BY ITS ENQUIRY OFFICER
POST BOX NO. F.F. 57,
BELTHANGADY POST,
BELALU,
DAKSHINA KANNDA 574240
REGISTERED UNDER SOCIETY
REGISTRATION ACT, 1959.

…RESPONDENTS

(BY SRI.H K KENCHEGOWDA, AGA FOR R1 TO R3,
V/O DATED 28.4.2026, NOTICE TO R4 TO R6 D/W)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTIO OF INDIA PRAYING TO QUASH THE IMPUGNED ADDL. CHARGE SHEET DATED 30.11.2025 ISSUED TO THE PETITIONER BY R5 AS PER ANNX-A BEARING NO. 60/2025-26

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Learned Additional Government Advocate is directed to accept notice for respondents No.1 to 3. Notice to respondents No.4 to 6 is dispensed with.

2. In this petition, petitioner has challenged the impugned Additional charge sheet dated 30.11.2025 (Annexure-A) issued by the respondent No. 5.

3. Heard Sri Sachin B.S., learned counsel for the petitioner and learned AGA for the respondents No.1 to 3.

4. It is argued by the learned counsel for the petitioner by referring to the impugned additional charge sheet at Annexure-A as well as the order dated 25.09.2025 passed by the Competent Court in Criminal Miscellaneous No. 881/2025 on the file of the II Additional District & Sessions Judge D.K., Mangaluru, and submitted that in view of the fact that the petitioner was in judicial custody and thereafter, he was enlarged on bail subject to the conditions stipulated therein, and petitioner was not

able to, attend the respondent-Society from the date of suspension on 27.05.2025, and accordingly sought for interference of this Court.

5. Learned Additional Government Advocate, opposed the petition.

6. Having taken note of the submission made by the learned counsels appearing for the parties, it is not in dispute that the order of suspension was made on 27.05.2025 for a period of 6 months. The petitioner was apprehended on 05.09.2025 and thereafter he filed C.Misc.No.881/2025, under Section 483 of the BNSS, 2023 seeking enlargement on bail.

7. Perusal of the order dated 25.09.2025 in C.Misc.No. 881/2025 at Annexure-D would indicate that the learned District and Sessions Judge imposed a condition, stating that the petitioner shall not visit the respondent-society unless he was called for enquiry till the conclusion of the trial. In that view of the matter taking

into consideration that the petitioner was apprehended on 05.09.2025, however, the order of suspension was made on 27.05.2025, I am of the considered opinion that there is no infirmity in framing the additional charge against the petitioner. In that view of the matter, I do not find any merit in the petition and accordingly, petition is dismissed.

SD/-
(E.S.INDIRESH)
JUDGE

HR
List No.: 2 Sl No.: 12