Reserved on : 29.08.2026
Pronounced on : 04.11.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 8173 OF 2026

BETWEEN:

SRI DEVAIAH C.K. @ DORE
S/O C.M.KUSHALAPPA
AGED ABOUT 48 YEARS
RESIDING AT NO.6,
5TH CROSS, GANESHA BLOCK,
RT NAGAR POST
BENGALURU – 560 032
(ADDRESS AS PER AADHAR CARD)

...PETITIONER

(BY SRI NISHANTH S.K., ADVOCATE FOR
SRI YOGESH N., ADVOCATE)

Digitally signed by PADMAVATHI B K
Location: High Court of Karnataka

AND:

1. STATE OF KARNATAKA
BY HIGH GROUNDS PS
REPRESENTED BY
THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001.

2. SRI B.N.ANAND
S/O LATE B.L.NARAYANA
AGED ABOUT 52 YEARS,
OFFICE AT KPCC OFFICE,
QUEENS ROAD,
BENGALURU – 560 001.

…RESPONDENTS

(BY SRI B.N.JAGADEESHA, SPP-I, A/W
SMT.WAHEEDA M.M., HCGP FOR R-1;
SRI SOMANNA K.P., ADVOCATE FOR R-2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF BNNS, PRAYING TO QUASH THE FIR DATED 03.05.2026 AND COMPLAINT DATED 30.04.2026 AGAINST THE PETITIONER IN CRIME NO.060/2026 WHICH IS PENDING ON THE FILE OF I ADDL. CHIEF JUDICIAL MAGISTRATE AT BENGALURU, FOR THE ALLEGED OFFENCES P/U/S 192 AND 352 OF THE BNS, REGISTERED BY RESPONDENT POLICE (PRODUCED AT ANNEXURE A AND B).

THIS CRIMINAL PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 29.08.2026, COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

CAV ORDER

The petitioner is before the Court calling in question registration of a crime in Crime No.60 of 2026 registered for offences punishable under Sections 192 and 352 of the BNS.

2. Heard Sri **Nishanth S.K.**, learned counsel appearing for the petitioner, Sri **B.N. Jagadeesha**, learned State Public Prosecutor-1 appearing for respondent No.1 and Sri **Somanna K.P.**, learned counsel appearing for respondent No.2.

3. Facts, in brief, germane are as follows: -

The 2nd respondent is the complainant. A complaint comes to be registered on an allegation that in a whatsapp group by name "Kodagina Samasyegalu" and in the chat of Kanniganda Hammi, the petitioner/accused, allegedly using a particular mobile number, posted a message concerning daughters of sitting M.L.A. of Virajpet constituency. Based upon the said allegation, a complaint comes to be registered in Crime No.60 of 2026 for the aforesaid offences. Registration of crime has driven the petitioner to this Court in the subject petition.

4. The learned counsel appearing for the petitioner submits that the ingredients of Sections 192 and 352 of the BNS would not get attracted even to its semblance in the case at hand, after all,

the petitioner has spoken about the daughters of the M.L.A. speaking thus, 'the M.L.A. also has two daughters and karma will return, wait and watch' and this is circulated in the whatsapp group. The learned counsel would submit that merely because it is circulated, it would not amount to an offence and accordingly, would seek quashment of the proceedings.

5. Per contra, the learned counsel appearing for the 2nd respondent/complainant would submit that the petitioner is in the habit of making such allegations against every person and later gets away with settlement with them either pre-conviction or post-conviction. The fact remains that for such offences he is convicted. The matter is still at the stage of crime and this Court must not interfere at this stage.

6. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the material on record.

7. The afore-narrated facts are not in dispute. A complaint comes to be registered on 30-04-2026 for several offences. Since

the entire issue is triggered from the complaint, I deem it appropriate to notice the complaint. The complaint reads as follows:

"Date: 30/04/2026

To

The Station House Officer,
High Grounds Police Station,
Millers Road, Vasanath Nagar,
Bengaluru 560 052.

Sir,

Subject: Registration of FIR against few People for making inflammatory, Derogatory and personal remarks against the daughters of Congress Party leaders and Legal Advisor to Hon'ble Chief Minister of Karnataka Sri.A. S. Ponnanna, MLA with the Intent to incite public outrage and Disturb communal harmony.

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Respected Sir,

In the Whatsapp Group named as (K) Kodagina Sampayegalu" on 29/04/2026 one person named as 'Dore' having replying to the chat made by the Mobile Number 9964411820, which is to be used by one 'Eshawa Kannigunda Hammi had commented using the cursing words that "**Even Ponnanna has two daughters, wait and watch Karma returns**" had posted the such statements against the daughters of Sri. A. S. Ponnanna. The said person named as "Dore" in the said whatsapp Group has made highly objectionable, defamatory, and inflammatory remarks using such cursing words referring to the daughters of Sri. A. S Ponnanna while commenting for post posted directly targeting the leader of Congress Party and also the Legal Advisor to Chief Minister of Karnataka., Sri A. S. Ponnanna MLA these comments with unparlimentary words with such personal remarks are widely responsible for prompting such miscreants in making relating by using cursing statement against women.

The words and language create a false moral outrage are intended to incite hatred, storage and disrespect towards Sri.Ponnanna, MLA and his family along with the congress party and those who hold him, in esteem.

These comments are communally charges and provocation, against at entire Political party and its members and thereby promoting communal disharmony. It is clearly insightful in consequence, as equating the Congress Party and its members is likely to provoke public anger, outrage, and breach of peace. Such conduct when made by a miscreants, undermines public trust, threatens communal harmony and directly vilifies political opponents through hate filled and reckless comments.

The post has trigged numerous hateful comments, including personal insults. These responses amplify the incitement initially trigged by the derogatory narrative. This post was intentionally directed at inciting hatred and enmity among the public. This clearly attract penal provisions under the following sections of the Bharatiya Nyaya Sanhita 2023 and the Information Technology Act, 2000, including but not limited to:

SECTION 79 BNS - Whoever, intending to insult the modest of any women, uttered any words, making any sound or gesture or exhibits any object in any form intending that such word or sound shall be heard, or that such gesture or object shall be seen by such women or intrudes upon the privacy of the such women, shall be punished with simple imprisonment for a term which may extend to three years and also with fine.

SECTION 196 BNS- Promoting enmity between different groups or the grounds of religion, race, place of birth, residence, language etc., and doing acts prejudicial to the maintenance of harmony:

SECTION 66A IT Act - Punishment for sending offensive messages.

SECTION 353(2) BNS -Statements creating or promoting enmity, hatred or ill-will between classes.

SECTION 352 BNS - Intentional insult with intent to provoke beach of the peace.

SECTION 356 BNS - Defamation

Such a hateful post has far reaching consequences on public sentiment and may lead to serious law and order issues, immediate action is essential to restore public confidence and maintain social harmony.

Given the stature of the persons involved and the context, such comments have far-reaching consequences on public sentiment and may lead to serious law and order issues. Moreover, such conduct from such people is to be curbed by bringing their names in the books of the criminals. Hence, immediate action is essential to restore public confidence and maintain social harmony.

I therefore, humbly request you to take immediate action on the matter, conduct a detailed investigation, and initiate necessary criminal action against the above mentioned people under the relevant provisions of law. Relevant screenshots and links are annexed for your reference.

Yours sincerely
Sd/-
(B.N. ANAND)"

Immediately the subject petition is preferred. The investigation is on, as there is no stay granted at the hands of this Court. In that light, whether the offences are made out or otherwise will only be discernible after completion of investigation. As to what offences would remain or any offence would remain at all, would be the product of investigation.

8. Since the petitioner has spoken about the family of a person i.e., sitting MLA of Virajpet Taluk dragging his daughters to the scene, without any rhyme or reason, I deem it appropriate to permit investigation to complete and reserve liberty to the petitioner to knock at the doors of appropriate *fora*.

9. With the above said observation, the petition stands **dismissed.**

Pending application, if any, also stand disposed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

bkp