HC-KAR
NC: 2026:KHC:60568
CRL.P No. 11402 of 2026
CNR: KAHC010520322026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 11402 OF 2026 (482(Cr.PC) / 528(BNSS))

BETWEEN:

SRI CHANNAKESHAVA @ KESHAVA,
S/O VARADARAJU,
AGED ABOUT 32 YEARS,
YANTAGANAHALLI KASABA HOBLI,
NELAMANGALA TALUK,
BENGALURU

...PETITIONER

(BY SRI. DILRAJ JUDE ROHIT SEQUEIRA., ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REPRESENTED BY
   THE STATION HOUSE OFFICER,
   NELAMANGALA TOWN POLICE STATION,
   BENGALURU RURAL DISTRICT,
   REPRESENTED BY
   THE STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDINGS,
   BENGALURU 560001

2. D.R. MANJUNATHA,
   PSI,
   NELAMANGALA TOWN POLICE STATION

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BANGALORE

…RESPONDENTS

(BY SRI. VINAY MAHADEVAIAH, HCGP FOR R1)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO EXERCISE THE INHERENT JURISDICTION OF THIS HONBLE COURT U/S 528 OF BNSS 2023 AND QUASH THE ENTIRE PROCEEDINGS IN SC NO.83/2025 PENDING AGAINST THE PETITIONER FOR THE OFFENCES P/U/S 399 AND 402 OF THE IPC ARISING OUT OF CRIME NO.129/2019 PERTAINING TO THE NELAMANGALA TOWN POLICE AS THE PROSECUTION CASE AGAINST THE PETITIONER IS FOUNDED ON THE VERY SAME ALLEGATIONS WITNESSES AND EVIDENCE WHICH HAVE ALREADY BEEN ADJUDICATED UPON AND DISBELIEVED BY THE LD PRL.DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT CULMINATING IN THE ACQUITTAL OF THE CO-ACCUSED IN SC NO.102/2020 BY JUDGMENT DATED 22.06.2026., AND ETC.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

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RAMNATH HEGDE

CNR: KAHC010520322026

ORAL ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional SPP for respondent no.1-State.

2. This petition is filed to quash the S.C. No.83/2025 pending before the Trial Court for the offence under Sections 399 and 402 of the Indian Penal Code, 1860 ('IPC').

3. The primary submission is that, the remaining accused have been acquitted and the witnesses being the same, there is no point in conducting the trial against the petitioner.

4. It is noticed that the petitioner was absconding for more than 2 years, as a result, the charge sheet had been split and the trial was conducted against the remaining accused.

5. Merely because other accused have been acquitted, it does not mean that the proceedings against

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RAMNATH HEGDE

the present petitioner who is yet to face a trial has to be quashed. The Court is not in a position to ascertain as to what evidence will be led against the present petitioner in case if faces trial.

6. The Court has also noticed that the present petitioner has violated the bail conditions by not appearing before the Court for 2 years and because of his conduct/absence the trial was delayed for 2 years. The case had to be split to conduct the trial against other accused while appearing before the Court.

7. Now the petitioner has to be tried. The witnesses are required to appear before the Court once again. The Court has noticed that 4 witnesses were examined by the Trial Court. Now they have to be re-examined.

8. Under the circumstances, the petitioner shall pay a cost of Rs.1,000/- each for each of the witnesses. Payment of cost is a condition precedent to face the trial.

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9. Petition is ***dismissed***.

10. It is submitted that the warrant has been issued against the petitioner and proclamation is published against the petitioner. This order will not come in the way of petitioner taking such steps as advised in law to recall warrant and proclamation.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 1 Sl No.: 36
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