HC-KAR

NC: 2026:KHC:59942
CRL.P No. 11869 of 2026

CNR: KAHC010540182026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 11869 OF 2026

BETWEEN:

1. SRI. SANTHOSH KUMAR
   AGED ABOUT 49 YEARS
   S/O SESHAPPA
   R/AT VASUNDHARA APARTMENT
   NEAR MARIGUDI
   URVA, MANGALURU - 577 001.

2. SRI. NAVEEN DILEEMA
   AGED ABOUT 44 YEARS
   S/O ALEXANDER
   R/AT NAYAR KUDRU7
   THANNEERUBHAVI PANAMBURU,
   MANGALURU - 577 001.

3. SRI. KRISHNA SHETTY
   AGED ABOUT 69 YEARS
   S/O SHEENA SHETTY
   R/AT NO.4-240/1, ADALABEEDU
   MARAKADA VILLAGE,
   KUNJATHBAIL, KAVURU,
   MANGALURU - 577 001.

4. SRI. P. NAVEEN PINTO
   AGED ABOUT 45 YEARS
   S/O LATE HENDRY PINTO
   R/AT FATHIMA CHURCH
   THANNEERUBHAVI
   PANAMBURU
   MANGALURU - 577 001.

Digitally Signed by ANANT
RAMNATH HEGDE

5. SRI. MANOJ KUMAR
AGED ABOUT 56 YEARS
S/O VASANTH B.M
R/AT PIRARA MOOLE
HOSANGADI
MANJESHWARA,
MANGALURU 577 001.

6. SRI. ROSHAN COELHO
AGED ABOUT 55 YEARS
S/O PIAD COELHO
R/AT NO.3-17/4, NAYATKUDRU
THANNEERUBHAVI
MANGALORE PANAMBUR
DAKSHINA KANNADA
MANGALURU - 575 010.

…PETITIONERS

(BY SMT. HALEEMA AMEEN., ADVOCATE FOR
SRI. ASHOK KUMAR SHETTY K.,ADVOCATE)

AND:

STATE OF KARNATAKA
BY SURATHKAL POLICE STATION,
MANGALURU
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BENGALURU-560 001.

…RESPONDENT

(BY SRI. M.V. ANOOP KUMAR., ADDL. SPP)

THIS CRL.P IS FILED U/S.482(FILED U/S.528 BNSS) CR.P.C PRAYING TO QUASH THE ENTIRE CRIMINAL PROCEEDINGS INITIATED AGAINST THE PETITIONER IN C.C.NO.4442/2025 (CRIME NO.108/2025) ON THE FILE OF THE JMFC (II COURT), MANGALURU FOR THE OFFENCE P/US/ 79,80 OF KARNATAKA POLICE ACT.

Digitally Signed by ANANT
RAMNATH HEGDE

CNR: KAHC010540182026

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard learned counsel for the petitioners and learned Addl. SPP for the respondent-State.

2. It is submitted by the learned counsel for the petitioners that the issue raised in the present petition is covered in terms of the various judgments of the Co-ordinate Bench of this Court, as the prior permission is not obtained for carrying out the investigation in respect of the non-cognizable offences. It is submitted that the offences alleged are non-cognizable offences.

3. Learned Addl. SPP does not dispute the fact that the offences alleged are non-cognizable offences and it is not the case of the respondent-State that prior permission was obtained before carrying out the investigation.

Digitally Signed by ANANT RAMNATH HEGDE

4. Under these circumstances, the petition is ***allowed***; the proceedings are ***quashed*** as investigation is carried out without obtaining prior permission.

Digitally Signed by ANANT RAMNATH HEGDE

(ANANT RAMANATH HEGDE)
JUDGE

PA
List No.: 1 Sl No.: 58