HC-KAR
NC: 2026:KHC:61703
CRL.P No. 12645 of 2026
CNR: KAHC010569612026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 12645 OF 2026

BETWEEN:

1. SRI THAMMESH GOWDA,
C/O KAVYA .V,
AGED ABOUT 46 YEARS,
NO.10, KESARI KRUPA
3RD CROSS, SWAMIVEVANENDA NAGAR,
MUNISHAMAPPA LAYOUT, AMRUTHNAGAR
BANGALORE NORTH, PO. SAHAKARANAGAR P.O.
BENGALURU-560092.

2. SRI KRISHNAMURTHY.M.
S/O LATE MUNISWAMAPPA,
AGED ABOUT 58 YEARS
NO.203/1 KOLALU NILAYA,
8TH CROSS,
NEAR SRI CHANDRAMOULESHWARA TEMPLE,
THALAKAVERI LAYOUT, AMRUTHAHALLI, PO
AMRUTHAHALLI, BENGALURU 560092.

3. SRI UMESH E
C/O K ESHWARA CHARI,
AGED ABOUT 41 YEARS
NO.410, 4TH FLOOR, SLV ESSENZA,
JAKKUR MAIN ROAD,
OPP RAILWAY TRACK,
VTC BANGALORE NORTH,
YELAHANKA, PO JAKKUR,
BENGALURU-560064.

4. SRI HANUMANTHA GOWDA.R,
S/O RAMAIAH,

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AGED ABOUT 47 YEARS,
NO.35, OPP, MUTHYALAMMA TEMPLE,
DODDAJALA, BNAGALORE NORTH
BANGALORE -562157.

5. SRI ANAND @MUNISWAMY ODEYAR S.S
S/O SHANKARAPPA WADAYAR.
AGED ABOUT-58 YEARS
NO.123/24, 2ND MAIN, 5TH CROSS
AGRAHARA LAYOUT, BANGALORE NORTH,
BANGALORE -560064.

6. SRI K.R PUTTARAJU
S/O RAMACHANDRAPPA,
AGED ABOUT-52 YEARS
NO.82 3RD MAIN 3RD CROSS
KOGILU YALAHANKA,
BANGALORE NORTH YELAHANKA,
BANGALORE -560064.

…PETITIONERS

(BY SMT VASANTHA KUMARA.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
YELAHANKA NEW TOWN POLICE STATION,
REP. BY SPP, HIGH COURT OF KARNATAKA,
BANGALORE - 560064.

2. MR. RAVI. A,
AGED ABOUT 39 YEARS,
POLICE SUB-INSPECTOR,
YELAHANKA NEW TOWN,
BANGALORE 560064.

…RESPONDENTS

(BY SRI NAGHARISH G S, HCGP)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR, COMPLIANT REGISTERED A CASE IN CRIME

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NO.399/2025 REGISTERED BY YELAHANKA NEW TOWN POLICE THE RESPONDENT NO.1 FOR THE ALLEGED OFFENCES P/U/S 189(2), 190, 285 OF BNS, 2023 PENDING ON THE FILE OF 55TH ACJM, BENGALURU.

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 the learned counsel for the petitioner and the learned HCGP for respondents no.1 and 2.

2. This petition is filed to quash the Crime No.0399/2025 registered by Yelahanka New Town police station for the offences under Section 189(2), 190 and 285 of Bharatiya Nyaya Sanhita, 2023 ('BNS').

3. Learned counsel for the petitioners would submit that the complaint is filed on 10.09.2025, till today, the investigation is not completed. It is submitted that there was an encroachment in a burial ground and to bring to the notice of the Competent Authority about the encroachment, the residents of the locality went to the Competent Authority with a representation to remove the encroachment.

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4. It is further submitted that the encroachment is now removed. However, the complaint is filed alleging that the petitioners and around 100 others had gathered in front of the office of the Tahsildar and blocked the road and shouted slogans against the Government.

5. Learned counsel for the petitioners would submit that in case the incident had taken place, the charge sheet would have been filed by this time. It is the further submission that the allegations are vague and though the 100 persons are said to have gathered, only petitioners have been named in the complaint and no specific overt act is referred to the petitioners.

6. The learned HCGP would submit that the petitioners did not protest in the place specified for protest and they were shouting slogans against the Government, as such, the matter requires investigation.

7. The Court has considered the contentions raised at the Bar and produced the records.

8. The fact that the petitioners went to the office of the Tahsildar to submit a representation is not disputed. It is

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also not disputed that the encroachment in the burial ground was later removed.

9. That being the petition, the Court is of the view that merely because around 100 people went to the office of the Tahsildar to give the representation itself cannot be construed as a protest and violation of the Regulation or the Government order where the protest is required to be done in a specified place. Since no specific overt act is forthcoming from the contents of the complaint, the Court is the view that the further investigation is not required. Hence, the following:

ORDER

(i) The petition is ***allowed***.

(ii) The investigation in Crime No.0399/2025 registered by Yelahanka New Town police station is quashed.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 2 Sl No.: 22