HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

CRIMINAL PETITION NO. 12987 OF 2025

BETWEEN:

SEEMA REHAMAN
W/O U ABDUL REHAMAN,
AGED ABOUT 50 YEARS,
R/AT 10-5-3, F-4, FLAT NO. 5,
3RD FLOOR, SWARNA ARCADE,
NEAR UDUPI RESIDENCY, KUNJIBETTU,
UDUPI - 576 102.

...PETITIONER

(BY SRI. PATGAR NARENDRA HANUMANT, ADVOCATE)

AND:

Digitally signed by GEETHA P G
Location: HIGH COURT OF KARNATAKA

THE STATE OF KARNATAKA
THROUGH MANGALURU RURAL POLICE STATION,
MANGALURU - 575 005
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. VINAY MAHADEVAIAH, HCGP)

THIS CRIMINAL PETITION IS FILED U/S 438 OF CR.P.C (U/S 482 BNSS) PRAYING TO DIRECT THE MANGALURU RURAL POLICE IN THE EVENT OF THE PETITIONER BEING ARRESTED IN LPC NO.3/2016 AND CR.NO.178/2005, PENDING ON THE FILE OF I ADDL. SENIOR CIVIL JUDGE AND CJM, MANGALURU, SHE MAY BE ENLARGED ON BAIL.

THIS PETITION, COMING ON FOR ORDERS THROUGH VIDEO CONFERENCING / PHYSICAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

The petitioner / accused No.5 has filed her anticipatory bail application under Section 438 of the Code of Criminal Procedure (for short, 'the Cr.P.C') read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS, 2023') in anticipation of her arrest by the respondent - police and direct the respondent - police to release the petitioner in the event of her arrest in LPC No.3/2016 and FIR No.178/2005,

pending on the file of the I Additional Senior Civil Judge and Chief Judicial Magistrate, Mangaluru.

2. The learned counsel appearing for the petitioner submits that the petitioner is innocent of the offences alleged. It is further submitted that FIR No.178/2005 came to be registered by the respondent–police against five accused persons on the allegation that they were involved in using forged trip sheets and permits for operating goods vehicles for the transportation of iron ore within the territorial jurisdiction of the respondent–police. It is submitted that three of the accused have already been acquitted. It is further submitted that the allegation against the petitioner is that, by operating a goods vehicle without the necessary permit and by forging trip sheets and permits, she has committed offences punishable under Sections 468 and 420 of the Indian Penal Code, 1860 (for short, "IPC"). It is further submitted that the said offences are not heinous crime punishable with death or imprisonment for life. There is no *prima facie* material

against the petitioner. It is further submitted that the petitioner is willing to abide by whatever conditions that are imposed by the Court and she will voluntarily surrender before the respondent - police for enlargement on bail. On the said ground, it is prayed that the petition be allowed.

3. *Per contra*, the learned counsel appearing for the respondent submits that the petitioner is accused of the offences alleged and she has been absconding and she has not co-operated with the investigation and for that reason, it is prayed that the bail petition be dismissed.

4. Admittedly, the petitioner is not alleged to have committed an offence which is punishable with death or imprisonment for life and the offence alleged against her it is not a heinous offence. Further, according to the respondent, investigation has already been completed and the police report has been filed. Furthermore, the petitioner is volunteering to surrender before the respondent - police. Under the given peculiar facts and

circumstances of the case, I am of the opinion that it is a fit case for grant of bail. Hence, the following:

ORDER

i. The petition is hereby ***allowed.***

ii. The petitioner is directed to appear before the I Additional Senior Civil Judge and Chief Judicial Magistrate, Mangaluru on 08.05.2026 at 11.00 a.m.

iii. The trial Court shall thereafter enlarge the petitioner on bail on taking a bond in a sum of Rs.50,000/- with one surety for the like sum, to the satisfaction of the Court.

iv. The petitioner shall not tamper the prosecution witnesses in any manner.

v. The petitioner shall cooperate with the investigation agency in all respects including furnishing of the thumb impression and the like.

vi. The petitioner shall not leave the jurisdiction of the trial Court without prior permission.

vii. The petitioner shall attend the Court regularly.

Sd/-
(M.I.ARUN)
JUDGE

CH
List No.: 1 Sl No.: 26