HC-KAR
NC: 2026:KHC:65080
CRL.P No. 14454 of 2026
CNR: KAHC010654672026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 14454 OF 2026

BETWEEN:

SMT. CHANDRIKA,
W/O RAVISHEKAR,
AGE ABOUT 32, YEARS,
HOUSE NO.449, 10TH CROSS,
NEAR OM SHAKTHI TEMPAL,
GANDHIPURAM, WHITEFIELD,
BANGALORE - 560066.

...PETITIONER

(BY SRI H M RUDRAKUMAR.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
   REP. BY WHITE FILED P.S
   BENGALURU - 560 066,
   STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDING,
   BENGALURU.
2. ANNU ANNA SURESH,
   W/O SURESH KUMAR ARUMUGAM,
   AGED ABOUT 54 YEARS,
   VILLA 13, PRESTIGE,
   WHITE MEASWOS,
   WHITE FILED MAIN ROAD,
   WHITE FILED, BENGALURU 560 066.

...RESPONDENTS

(BY SRI NAGHARISH G S, HCGP FOR R1,
SRI PRAJWAL B H, ADVOCATE FOR R2)

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THIS CRL.P FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE CHARGE SHEET IN CC.NO.796/2026, 1ST ADDL. CJM COURT BANGALORE RURAL BANGALORE BY WHITE FILED P.S. 1ST RESPONDENT FILED HIS FINAL REPORT, ON 29.12.2025 U/S 306 OF THE BNS ACT 2023.

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 appearing for the petitioner and the learned HCGP for the first respondent-State and the learned counsel for the second respondent.

2. Learned counsel for the second respondent has filed vakalath and the same is taken on record.

3. This petition is filed to quash the proceedings in C.C. No.796/2026 pending before the Additional Chief Judicial Magistrate Court, Bengaluru Rural. The offences alleged under Section 306 of Bharatiya Nyaya Sanhita, 2023 ('BNS').

4. The contents of the complaint would indicate that the complainant/second respondent lodged a complaint about her missing jewellery and she suspected the petitioner who was

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appointed as a maid in her house. The police after investigation have filed the charge sheet against the petitioner as well as petitioner's brother and the petitioner's husband.

5. Learned counsel for the petitioner would submit that the contents of the charge sheet do not disclose any offence. It is stated that the suitcase was locked and there is no evidence to show that the suitcase was unlocked by the petitioner and even the police have not stated that they have recovered the suitcase from the petitioner. Thus, it is the contention that the charge sheet could not have been filed against the petitioner.

6. It is the further submission that none of the jewellery referred to by the complainant is recovered from the petitioner and the complainant in her statement before the police has clearly stated that the jewelries recovered from the petitioner are not the jewelleries belonging to the complainant and that the complainant does not have the receipt relating to the jewellery seized by the police.

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7. Learned HCGP would submit that the charge sheet is filed. The investigation is carried out using the brain mapping test and in the said test, the petitioner has stated that she has opened the suitcase and she had a desire to steal the jewellery and she wanted to conceal it after stealing the same and after leaving the premises she has informed the husband about the jewellery which she has taken. Thus it is the contention that the matter requires investigation.

8. Learned counsel for the second respondent in addition to the submission made by the learned HCGC would also submit that the police after carrying out investigation have also interrogated the petitioner's brother and husband and seized certain jewelries which apparently were the jewelries purchased from the sale of the jewellery stolen from the complainant's premises. Thus it is the contention that the matter requires trial and the petitioner cannot seek to quash the proceedings based on the disputed questions of facts.

9. The court has considered the contentions raised at the Bar and perused the records.

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10. As can be seen from the charge sheet material it appears that there was a brain mapping test for which the petitioner allegedly gave consent. The answers given in the brain mapping test primarily indicate that the petitioner was aware of the suitcase in the premise of the complainant and she apparently allegedly opened the suitcase and she had a desire to take the jewellery inside the suitcase.

11. Under these circumstances, the matter requires trial to find out as to whether the petitioner has sold the jewellery and from the sale proceeds the jewelries have been purchased which were allegedly seized from the custody of the petitioner, petitioner's husband and the petitioner's brother.

12. This being the factual position, the Court is of the view that the petition cannot be allowed to quash the proceedings. There has to be a trial.

13. Accordingly, the petition is ***dismissed***.

14. All observations made in this order are only confined to the merits in the petition under Section 528 of

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Bharatiya Nagarik Suraksha Sanhita, 2023 and not on the merits of the defence to be raised by the petitioners.

15. All contentions kept open.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 2 Sl No.: 15