HC-KAR

NC: 2026:KHC:64829
CRL.P No. 14856 of 2026

CNR: KAHC010670282026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 14856 OF 2026

BETWEEN:

SMT ABINAYA REDDY @ ABINAYA (A2),
W/O MADHU KUMAR,
AGED ABOUT 37 YEARS,
R/AT. NO.2573, 1ST ROAD,
2ND CROSS, BDA LAYOUT,
J.B. NAGARA, BENGALURU- 560078.

…PETITIONER

(BY SRI SHIVANANDA REDDY R V.,ADVOCATE)

AND:

1. STATE OF KARNATAKA,
   BY CCB POLICE (EOW),
   REPTD.BY STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDING, BENGALURU-01.

2. SRI. SHIVAKUMAR. B,
   S/O. DALAPPA,
   AGED ABOUT 55 YEARS,
   R/AT. NO13, SRINAGARA,
   NEAR RAILWAY STATION,
   DODDABALLAPURA,BANGALORE RURAL DISTRICT,
   PIN-561203.

…RESPONDENTS

(BY SRI M V ANOOP KUMAR, ADDL.SPP FOR R1,
SRI MANJUNATHA N, ADVOCATE FOR R2)

THIS CRL.P IS 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 1.SET

Digitally signed by Justice
ANANT RAMNATH HEGDE

ASIDE THE ORDER IN C.C.NO.11717/2026 DATED 27.08.2026 HONBLE I ADDL.C.J.M AT BENGALURU FOR THE OFFENCE P/U/S 318(4),336(2),336(3),341(2),342 R/W 3(5) OF BNS 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 for the petitioner, learned Additional State Public Prosecutor for respondent No.1-State and the learned counsel appearing for respondent No.2 on the merits of the petition.

2. This petition is filed to set aside the order in C.C.No.11717/2026 dated 27.08.2026 pending on the file of I Additional Chief Judicial Magistrate, Bengaluru, for the alleged offences under Sections 318(4), 336(2), 336(3), 341(2), 342, 238 read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023,

3. In terms of the said order, the petitioner's application for release of gold articles, cell phones seized in terms of P.F.No.30/2025, P.F.No.31/2025 is rejected.

Digitally signed by Justice
ANANT RAMNATH HEGDE

4. Learned counsel for the petitioner would submit that the said articles referred to in the application have been recovered from the petitioner and there is no dispute over the fact. It is submitted that the complainant has no objection to release the said articles in favour of the petitioner.

5. Memo is filed stating that respondent No.2 has received Rs.5 lakhs from the petitioner and respondent No.2 has no objection for releasing the said gold articles and the cell phones.

6. Learned Additional State Public Prosecutor submits that the articles be released in favour of the petitioner subject to condition that the same shall be produced at the time of trial and same shall not be disposed of until further orders from the Trial Court.

7. It is the further submission of Additional State Public Prosecutor that FSL report is also secured.

8. Hence, the following:

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ANANT RAMNATH HEGDE

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ORDER

(i) The Criminal Petition is ***allowed in part***.

(ii) The order dated 27.08.2026 passed by I Additional Chief Judicial Magistrate in C.C.No.11717/2026 is set aside.

(iii) The gold articles and the cell phones as prayed in the application before the Trial Court **(excluding cash),** be released in favour of the petitioner.

(iv) Petitioner shall execute a bond undertaking to produce the said gold articles and the cell phones as and when it is required at the time of trial.

(v) Petitioner shall not dispose of the said articles till the case is disposed.

Digitally signed by Justice
ANANT RAMNATH HEGDE

(ANANT RAMANATH HEGDE)
JUDGE

GVP
List No.: 3 Sl No.: 38