HC-KAR

NC: 2026:KHC:60343
CRL.P No. 15055 of 2026

CNR: KAHC010672922026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15055 OF 2026

BETWEEN:

1. ARUN KALYANI M,
   S/O. LATE SRI. C. MUNIYAPPA,
   AGED ABOUT 56 YEARS,
   R/AT. SAMPIGEHALLI,
   NEAR MAGADAMMA TEMPLE,
   BENGALURU-560064.

2. SRI. VENKATAPPA,
   S/O. LATE GUNDLU MUNIYAPPA,
   AGED ABOUT 81 YEARS,
   R/AT. NO. 11, 4TH CROSS,
   KARNATAKA RAKSHNA VEDIKE ROAD,
   T.C PALYA, ANANDAPURA,
   BENGALURU-560036.

Digitally signed by CHETAN B C
Location: High Court of Karnataka

3. SRI. VENKATESH,
   S/O. LATE MUNIVENKATAPPA,
   AGED ABOUT 54 YEARS,
   R/AT. SAMPIGEHALLI VILLAGE,
   JAKKURU POST, YELHANKA HOBLI,
   BENGALURU-560064.

...PETITIONERS

(BY SRI. PREMA KUMAR G A, ADVOCATE)

AND:

STATE BY SAMPIGEHALLI POLICE,
REP. BY S.P.P.
HIGH COURT COMPLEX,
BENGALURU-560001.

…RESPONDENT

(BY SRI. RAHUL RAI.K, HCGP)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNSS) TO ENLARGE HIM ON ANTICIPATORY BAIL IN THE EVENT OF THEIR ARREST IN CR.NO.326/2023 OF SAMPIGEHALLI POLICE FOR THE OFFENCE P/U/S 406, 465, 468, 471, 420, 34 OF IPC PENDING ON THE FILE OF THE IV ADDL. C.M.M COURT AT BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused Nos.1 to 3 in Crime No.326/2023, registered by Sampigehalli Police Station, Bangalore, for offences punishable under Sections 406, 465, 468, 471, 420, 34 of the Indian Penal Code, are before this Court in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.326/2023 was registered by Sampigehalli Police Station, Bangalore, for the aforesaid offences, against petitioners herein and another, after the private complaint filed by Sri.Rajanna in P.C.R.No.3152/2023 was referred to police by the jurisdictional Magistrate. Apprehending arrest in the case, petitioners had approached the jurisdictional Sessions Court in Crl.Misc.No.9012/2023 which was rejected on 13.10.2023. Therefore, they are before this Court.

4. Learned counsel for the petitioners, during the course of arguments, has brought to the notice of this Court that further proceedings in Crime No.326/2023 was stayed as against the petitioners herein by this Court in W.P.No.23439/2023 vide order dated 19.10.2023. The said petition was subsequently dismissed by this Court vide order dated 11.09.2026.

5. From the aforesaid, it is apparent that for a period nearly three years, there was an interim order operating in W.P.No.23439/2023 and connected writ petitions wherein,

further proceedings in Crime No.326/2023 was stayed. The defacto complainant claims that the lands which are subject matter of the private complaint are service inam lands granted in favour of eligible persons and according to him, he also had a right over the said lands and had filed O.S.No.2697/2014, O.S.No.1582/2021, O.S.No.1779/2019, O.S.No.4808/2015 and O.S.No.875/2016, before the jurisdictional Civil Court seeking partition. It appears that a portion of the said land was acquired for the purpose of BDA and in spite of the aforesaid suits pending, petitioners allegedly managed to get released 40% of the developed land out of the acquired land in their favour in collusion with accused No.4 who was working as Deputy Secretary in the BDA. Accused No.4 has been granted anticipatory bail by this Court in Crl.P.No.12226/2023 on 28.11.2023. Petitioners have undertaken to cooperate with police for the purpose of investigation.

6. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer for grant of anticipatory bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

O R D E R

The petition is **allowed**. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.326/2023, registered by Sampigehalli Police Station, Bangalore, for offences punishable under Sections 406, 465, 468, 471, 420, 34 of the Indian Penal Code, subject to the following conditions:

1. The Petitioners shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.

2. Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

3. Petitioners shall not tamper with the prosecution witnesses and they shall co-operate with the police for investigation and appear before them whenever called upon.

4. The petitioners shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

CBC
List No.: 1 Sl No.: 65