HC-KAR

NC: 2026:KHC:60345
CRL.P No. 15259 of 2026

CNR: KAHC010684172026

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. 15259 OF 2026

BETWEEN:

1. SRI. NAGARAJ R,
   S/O V.RAMAKRISHNAAPPA,
   AGED ABOUT 56 YEARS.

2. SRI. MADAN.N,
   S/O NAGARAJ.R,
   AGED ABOUT 26 YEARS.

3. SMT.VENNA.S.P,
   W/O NAGARAJ.R,
   AGED ABOUT 48 YEARS.

   ALL ARE R/AT:
   NO.118, KATHRIGUPPE VILLAGE,
   NEAR MARIKAMBA TEMPLE,
   BSK 3RD STAGE,
   BANGALORE SOUTH,
   BANGALORE-560085.

...PETITIONERS

(BY SRI. GAYATHRI M, ADVOCATE)

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

AND:

STATE OF KARNATAKA,
BY SHANKARAPURA POLICE,
BENGALURU,
BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS, BANGALORE - 01.

...RESPONDENT

(BY SRI. RAHUL RAI.K, HCGP)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) CR.P.C TO GRANT THEM THE RELIEF OF ANTICIPATORY BAIL IN CR.NO.78/2026 REGISTERED BY THE SHANKARAPURA POLICE, BENGALURU CITY FOR THE OFFENCES P/U/Ss 66(D) OF INFORMATION AND TECHNOLOGY ACT AND U/S 318(4) OF THE BNS, NOW PENDING BEFORE 37th ACJM AT BENGALURU CITY DIRECTING THE STATION HOUSE IN CHARGE OFFICER OF SHANKARPAUARA POLICE TO RELEASE THE PETITIONERS ON BAIL IN THE EVENT OF THEIR ARREST IN THE SAID CRIME AFTER TAKING SUFFICIENT SURETY OR SURETIES.

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.78/2026 registered by Shankarapura Police Station, Bengaluru City, for offences punishable under Section 66D of Information Technology Act and Section 318(4) of the Bharatiya Nyaya Sanhita, 2023, are before this Court in this petition filed under Section 482 of the BNSS, 2023, seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.78/2026 was registered by Shankarapura Police Station, Bangalore, for the aforesaid

offences, against unknown persons based on the first information dated 21.07.2026 received from Shivakumar G S/o Ganganna. Apprehending arrest in case, the petitioners had approached the jurisdictional Sessions Court in Crl.Misc.No.7991/2026, which was rejected on 14.08.2026. Therefore, they are before this Court.

4. A perusal of the material on record would go to show that accused No.2 is the son of accused No.1 and accused No.3 is the wife of accused No.1. Allegation in the first information is that at the instance of unknown persons, on various dates, the first informant had transferred totally an amount of Rs.5,86,000/- to the account of the accused persons who allegedly had represented to the first informant that the investment was towards real estate business and double the investment amount would be paid to the investor.

5. Learned counsel for the petitioners has produced material before this Court which would go to show that the first informant is acquainted to the accused persons and material on record would go to show that number of phone calls and

messages were exchanged between the parties which has been suppressed by the first informant in the present case. Merely for the reason that a person who has borrowed the money has not repaid the same, criminal case cannot be registered by the police by giving a criminal texture to the said monetary transaction. Petitioners have undertaken to cooperate with the police for the purpose of investigation.

6. Considering the nature of allegations found in the first information and also the fact that first informant has suppressed material facts, I am of the opinion that the prayer made in the petition 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.78/2026 registered by Shankarapura Police Station, Bengaluru City, for offences punishable under Section 66D of Information

Technology Act and Section 318(4) of the Bharatiya Nyaya Sanhita, 2023, 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.: 68