HC-KAR

NC: 2026:KHC:63566
CRL.P No. 16281 of 2026

CNR: KAHC010727232026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16281 OF 2026

BETWEEN:

1. P.V. SATHEESH KUMAR
S/O P.C. VENUGOPAL
AGED ABOUT 50 YEARS
RESIDING AT NO. 4-16A, K. PATHUR
V. KOTA MANDALAM
ANUGANIPALLE, CHITTOOR
ANDHRA PRADESH - 517 424.

2. CHETHAN KUMAR S.P
S/O. SATISH KUMAR
AGED ABOUT 26 YEARS
RESIDING AT NO. 4-16A, K. PATHUR
V. KOTA MANDALAM
ANUGANIPALLE, CHITTOOR
ANDHRA PRADESH - 517 424.

...PETITIONERS

(BY SRI N. SREENIVAS, ADV., FOR
SRI A.K. VASANTHA, ADV.)

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Location: HIGH COURT OF KARNATAKA

AND:

THE STATE OF KARNATAKA
BY K.R. PURAM POLICE STATION
BENGALURU, REP. BY STATE PUBLIC
PROSECUTOR, HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP FOR
SRI GURUBASAPPA, ADV., FOR DEFACTO COMPLAINANT)

THIS CRL.P IS FILED U/S 438 CR.PC (FILED U/S 482 BNNS) PRAYING TO ENLARGE THEM ON BAIL IN THE EVENT OF THEIR ARREST IN CRIME NO. 611/2026 OF K.R. PURAM POLICE STATION DATED 23.8.2026 FOR AN ALLEGED OFFENCE PUNISHABLE UNDER

SECTION 316(2), 318(4) READ WITH 3(5) OF BHARATIYA NAGARIK SURAKSHA SANHITA PENDING ON THE FILE OF HON'BLE XXIX ADDITIONAL CHIEF JUDICIAL MAGISTRATE AT BENGALURU CITY.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused Nos.1 and 2 in Crime No.611/2026 registered by K. R. Puram Police Station, Bengaluru, for the offences punishable under Sections 318(4), 316(2) and 3(5) of BNS, 2023, are before this Court in this petition filed under Section 482 of BNSS, 2023, seeking anticipatory bail.

2. Heard the learned counsel for the parties. Memo along with documents filed by the defacto complainant is taken on record.

3. FIR in Crime No.611/2026 was registered by K. R. Puram Police Station, Bengaluru, for the aforesaid offences against petitioners herein and two others, based on the first information dated 23.08.2026 received from Koteswara Reddy. Apprehending arrest in the case, petitioners had approached the jurisdictional Sessions Court in Crl.Misc.No.9728/2026,

which was rejected on 12.10.2026. Therefore, they are before this Court.

4. In the first information dated 23.08.2026 submitted by the defacto complainant, he has stated that petitioner No.1 herein is acquainted to him ever since the year 2017. Petitioner No.1 has been carrying on the business of chit and first informant was a subscriber of chit conducted by petitioner No.1. It is specifically stated in the first information that from the year 2017 to 2024, petitioner No.1 had paid all the chit amounts to first informant but in the subsequent chit which had commenced in the month of June, 2024, petitioner No.1 had collected subscription money from the first informant but he has failed to pay chit amount to the first informant and whenever a demand is made, he has been evading the first informant. It is under these circumstances, first informant has approached the police. Petitioner No.2 is the son of petitioner No.1.

5. A reading of the first information would go to show that even according to the first informant, no amount has been

transferred to the bank account of petitioner Nos.1 and 2 in the present case. A reading of the first information would reveal that from the year 2017 onwards till the year 2024, petitioner No.1 has paid all the chit amounts to the first informant and it is only in the chit that was conducted thereafter, amount has not been paid by petitioner No.1 to the first informant. Therefore, it cannot be said that from the inception itself, petitioner No.1 had intention to cheat the first informant or other subscribers of the chit business carried on by him. The alleged offences are triable by the Court of Magistrate and the maximum punishment for the alleged offences is imprisonment for a period of seven years. Learned counsel for the petitioners submits that prior to registration of the present case, no other criminal case was registered against the petitioners. Under the circumstances, the following order:-

6. 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.611/2026 registered by K. R. Puram Police Station, Bengaluru, for the offences punishable under Sections 318(4),

316(2) and 3(5) of BNS, 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/- each 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

DN
List No.: 1 Sl No.: 70