HC-KAR

CNR: KAHC010732482026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16064 OF 2026

BETWEEN:

1. SRI PRADHAN DASS
S/O LATE J. CHITTARANJAN DASS
AGED ABOUT 45 YEARS
RESIDING AT NO.80, 5TH CROSS
DR. SHIVARAM KARANTH NAGAR
MCECHS LAYOUT 1ST PHASE
BENGALURU - 560 077.

2. SMT. SHASHIKALA DASS
W/O LATE J. CHITTARANJAN DASS
AGED ABOUT YEARS
RESIDING AT NO. 80, 5TH CROSS
DR. SHIVARAM KARANTH NAGAR
MCECHS LAYOUT 1ST PHASE
BENGALURU 560 077.

...PETITIONERS

(BY SRI DILRAJ JUDE ROHIT SEQUEIRA, ADV.)

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Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
BY AMRUTHAHALLY POLICE STATION
BENGALURU CITY, REPRESENTED BY
THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU 560001.

2. SRI MAHADEVAN NAGARATNAM
S/O LATE S. NAGARATNAM
AGED ABOUT 57 YEARS
RESIDING AT ELAN HOMES CLAYTON
NO.1006, SARJAPURA ROAD
BENGALURU - 560 035.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR
SMT. SAMYUKTHA BONDRE, ADV., FOR
SMT. CHINMAY J MIRJI, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 438 CR.P.C (U/S 482 BNSS) PRAYING TO DIRECT THE RESPONDENT POLICE THAT IN THE EVENT OF ARREST OF THE PETITIONERS (ACCUSED NOs.1 AND 3) REGISTERED BY AMRUTHAHALLY P.S., AND BY GRANTING ANTICIPATORY BAIL ARISING OUT OF CR.NO.262/2026, FOR THE OFFENCES P/U/S 318(4),319(2),316(5),336(3),340(1),61 OF BNS, 2023, U/S 66(C) OF I.T ACT, 2000 AND THE PETITIONERS BE RELEASED ON BAIL.

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 3 in Crime No.262/2026 registered by Amruthahally Police Station, Bengaluru, for the offences punishable under Sections 318(4), 319(2), 316(5), 336(3), 340(1) and 61 of BNS, 2023 and Section 66(C) of the Information Technology Act, 2000, 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.

3. FIR in Crime No.262/2026 was registered by Amruthahally Police Station, Bengaluru, for the aforesaid

offences against petitioners herein and others based on the first information dated 24.08.2026 received from Mahadevan Nagaratnam, authorized representative of a company known as 'Aishu Textiles Pvt. Ltd.' Apprehending arrest in the said case, petitioners had approached the jurisdictional Sessions Court in Crl.Misc.No.10029/2026, which was rejected on 17.10.2026. Therefore, they are before this Court.

4. In the typed first information dated 24.08.2026 submitted by the authorized representative of aforesaid company, it is stated that said company is engaged in the manufacture of trading of textiles since the year 2012 and in the year 2022, the company had approached accused no.1 seeking his assistance to outsource its book keeping and treasury services. Accused No.1 recommended accused No.5, which offered such book keeping and treasury services at competitive cost and introduced accused No.2, a qualified Chartered Accountant and Company Secretary, as the key representative of accused No.5. Entire allegation in the first information is against accused No.2 about he misusing the funds of the complainant company and causing loss to the tune of more than Rs.5 crores. Accused

No.1 allegedly introduced accused No.5 firm to the complainant company and accused No.5 had thereafter introduced accused No.2, who is a qualified Chartered Accountant and Company Secretary, to the complainant company.

5. Accused No.3, is the mother of accused No.1. There is absolutely no allegation whatsoever against accused No.3 in the first information and allegation against accused No.1 is to the extent that he had introduced accused No.5 to the complainant firm. First information would also go to show that company had secured a forensic audit report, in which it is stated that totally a sum of Rs.5,36,63,193/- was the loss caused to the company. Accused No.2 had voluntarily acknowledged the crime committed by him and he also had executed an Indemnity-cum-Settlement Agreement dated 04.05.2026 assuring to make good the loss suffered by the company. It is further stated that accused No.2 also handed over five post dated cheques in favour of the complainant company for a total amount of Rs.1 crore 16 lakhs. From the aforesaid aspects of the matter, it is apparent that there are no serious allegations as against accused Nos.1 and 3 in the

present case. Under the circumstances, I am of the opinion that the prayer made by the petitioners for grant of anticipatory bail needs to be answered affirmatively. Accordingly, 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.262/2026 registered by Amruthahally Police Station, Bengaluru, for the offences punishable under Sections 318(4), 319(2), 316(5), 336(3), 340(1) and 61 of BNS, 2023 and Section 66(C) of the Information Technology Act, 2000 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.
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> 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.: 81