HC-KAR

NC: 2026:KHC:65686
CRL.P No. 17502 of 2026

CNR: KAHC010788122026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 17502 OF 2026

BETWEEN:

KASHIBABU @ RAMESH BABU T
S/O SRI. THANGARAJ,
AGED ABOUT 55 YEARS,
R/AT NO. 234, 1 P.O BLOCK,
NEAR CHELLAPPA SCHOOL,
ROBERTSONPET HOBLI, KGF TALUK,
KOLAR DISTRICT - 563 119.

...PETITIONER

(BY SRI. CHETHAN A, ADVOCATE)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

STATE OF KARNATAKA
BY THE STATION HOUSE OFFICER
ANDERSONPET POLICE STATION,
KGF, KOLAR DISTRICT
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 438 OF CR.PC (FILED U/S 482 BNNS) PRAYING TO DIRECT THE RESPONDENT POLICE L.E., ANDERSONPET POLICE, KGF TALUK, KOLAR DISTRICT, TO

ENLARGE HIM ON ANTICIPATORY BALL IN THE EVENT OF HIS ARREST IN CRIME NO.93/2026, WHICH IS NOW PENDING ON THE FILE OF HONBLE PRL. CIVIL JUDGE (JR.DN) AND JMFC COURT, KGF, FOR THE OFFENCES PUNISHABLE UNDER SECTION 4(1), 21(1), 4 OF THE MMDR (MINES AND MINERALS REGULATION OF DEVELOPMENT) ACT, 1957 AND SECTION 303(2) OF THE BHARATIYA NYAYA SANHITA, 2023.

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 No.4 in Crime No.93 of 2026 registered by Andersonpet Police Station, K.G.F., for the offences punishable under Section 4(1), 21(1), 4 of the MMDR Act, 1957 and Section 303 (2) of BNS, 2023, is before this Court in this petition filed under Section 482 of BNSS, 2023 seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and learned High Court Government Pleader for the respondent /State.

3. FIR in Crime No.93 of 2026 was registered by Andersonpet Police Station, K.G.F. for the aforesaid offences against Disilva and others, based on the first information dated 13.08.2026 received from Sri.Honne gowda M.P., Police Officer attached to Andersonpet Police Station, K.G.F. Apprehending arrest in the case, the petitioner had filed Crl.Misc.No.1017 of 2026 before the jurisdictional Sessions Court, which was rejected on 31.10.2026. Therefore, he is before this Court.

4. Accused No.1 had approached this Court seeking anticipatory bail in Criminal Petition No.14275 of 2026. The said petition was allowed on 28.09.2026. In paragraph No.4 of the order passed in Criminal Petition No.14275 of 2026, it is observed as follows:

> *"4. A reading of the first information would reveal that, on 13.08.2026 at about 07:00 p.m., based on credible information, the first informant raided the spot where the accused persons had extracted gold mixed soil behind Mysore Mines Mill and had stocked the same in eight gunny bags. According to the prosecution, after seeing the Police, the accused persons managed to escape. Thereafter, the eight gunny bags in which the gold*

mixed soil was stocked by the accused persons were seized under a Panchanama and FIR was registered against the petitioner and others. The maximum punishment for the alleged offences is imprisonment for a period of 3 years. The petitioner has undertaken to co-operate with the Police for the purpose of investigation. The gunny bags in which the gold mixed soil was stocked have already been recovered in the present case. "

5. The aforesaid reasoning assigned by this Court while granting anticipatory bail to accused No.1 is squarely applicable to the case on hand. Accordingly, the following:

O R D E R

i) The criminal petition is ***allowed***.

ii) The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.93 of 2026 registered by Andersonpet Police Station, K.G.F., for the offences punishable under Section 4(1), 21(1), 4 of the MMDR Act, 1957 and Section 303 (2) of BNS, 2023, subject to the following conditions:

a) The petitioner 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.

b) The petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

c) The petitioner shall not tamper with the prosecution witness and he shall co-operate with the police for investigation and appear before them whenever called upon.

d) The petitioner shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

AMM
List No.: 1 Sl No.: 25