HC-KAR

NC: 2026:KHC:10884
CRL.P No. 16875 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 16875 OF 2025
[438(Cr.PC) / 482(BNSS)]

BETWEEN:

SRI. MANOHAR S.,
S/O. SAHNMUGAPPA A.,
AGED ABOUT 64 YEARS,
R/AT NO.94/A, 7TH MAIN,
NADAKUMAR LAYOUT,
CHKKALLASANDRA,
BENGALURU - 560 061.

...PETITIONER

(BY SRI. RAGHAVENDRA A.V., ADVOCATE)

AND:

STATE OF KARNATAKA,
MAGADI ROAD POLICE STATION,
BENGALURU,
REPTD. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDNG,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. M.R. PATIL, HCGP)

Digitally signed by LAKSHMINARAYANA MURTHY RAJASHRI
Location: HIGH COURT OF KARNATAKA

THIS CRL.P. IS FILED UNDER SECTION 438 CR.PC (FILED U/S 482 BNSS) PRAYING TO GRANT AN ORDER OF ANTICIPATORY BAIL AND DIRECT THE RESPONDENT POLICE TO RELEASE THE PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.204/2025 (PCR NO.15006/2025) OF MAGADI ROAD POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 316(1), 316(2), 316(4), 338,

61 READ WITH 3(5) OF THE BHARATIYA NYAYA SANHITA, PENDING ON THE FILE OF THE XXIV ADDITIONAL CHIEF JUDICIAL MAGISTRATE, AT BENGALURU. THE LXII ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-63), BENGALURU HAS REJECTED THE BAIL PETITION ON 25.11.2025 IN CRL.MISC.NO.10052/2025.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by accused No.1 under Section 482 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying to grant anticipatory bail in Crime No.204/2025 of Magadi Road Police Station registered for offences punishable under Sections 316(1), 316(2), 316(4), 338 and 61 read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

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

3. Learned counsel for petitioner would contend that, the complainant has filed P.C.R. No.15006/2025 and

it came to be referred to the Police for investigation. Based on the same, crime has been registered against the petitioner and two others. The averments of the said complaint indicates that the petitioner has not paid the share amount of sale consideration of the complainant and his sisters Shylaja and Asha and cheated them. There was a sale agreement in favour of one Bhagya and for enforcing the said sale agreement, a suit for specific performance has been filed against the petitioner, complainant and their sisters in O.S.No.5648/2022. In the said suit, compromise petition has been filed and it was accepted and compromise decree has been drawn. Pursuant to the said compromise decree, Sale Deed has been executed in favour of the said Bhagya by the petitioner, complainant, their sisters and others on 12.12.2022. What is the amount to be paid to each of them has been mentioned in the said Sale Deed and cheques have been issued by the vendor to them. He further submits that, the complainant claims more share of

amount in the sale consideration and made false allegation against the petitioner. The petitioner is ready to cooperate with the Police in the investigation and abide by any conditions to be imposed by this Court. The offences alleged against the petitioner are not punishable either with death or imprisonment for life. With these, he prayed to allow the petition.

4. Per contra, learned High Court Government Pleader for respondent would contend that, there is a allegation of impersonation of Shylaja in the Sale Deed and not giving the share amount of sale consideration to the complainant and his sisters. The matter is under investigation. The petitioner is required for custodial interrogation. With these, he prayed for dismissal of the petition.

5. Having heard the learned counsels appearing for parties, the Court has perused the FIR, complaint and other materials placed on record.

6. One Vishwanatha K. has filed a P.C.R. No.15006/2025 against the petitioner and two others. The said complaint has been referred to Police for investigation. On the basis of the said complaint, Crime No.204/2025 has been registered in Magadi Road Police Station against the petitioner and two others for aforesaid offences. On perusal of the averments in the said complaint indicates that, Shylaja has been impersonated in the Sale Deed and share amount of the complainant and his two sisters has not been paid. The said Sale Deed dated 12.12.2022 has been executed pursuant to the compromise decree passed in O.S.No.5648/2022. In the Sale Deed, the specific mention of the amount received by each of the vendors including the complainant and his two sisters. Considering the said aspect, whether the petitioner has committed any offence alleged is a matter of investigation. The offences is alleged against the petitioner are not punishable either with death or imprisonment for life. The petitioner is not having any criminal antecedents.

7. Considering all the above assets, the petitioner has made out a case for grant of anticipatory bail with conditions. In the result, the following;

ORDER

The Criminal Petition is ***allowed***. The petitioner is granted anticipatory bail in Crime No.204/2025 of Magadi Road Police Station and is ordered to be released on bail in the event of his arrest, subject to following conditions:

i) The petitioner shall voluntarily appear before the Investigating Officer within 15 days from this day and execute bail bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for the like-sum to the satisfaction of the Investigating Officer.

ii) The petitioner shall cooperate with the Investigating Officer in investigation.

iii) The petitioner shall appear before the Investigating Officer whenever called for.

iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

v) The petitioner shall appear before the Investigating Officer on every Sunday between 10:00 a.m. to 2:00 p.m. for a period of one month or till filing of the final report, whichever is earlier.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 47