NC: 2026:KHC:4714
CRL.P No. 17024 of 2025

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 17024 OF 2025
[(438(Cr.PC) / 482(BNSS)]

BETWEEN:

SMT T. VANITHA
W/O. PRASAD KUMAR,
AGED ABOUT 44 YEARS,
RESIDING AT DOOR NO.671/66,
8TH CROSS, BHAGATH SINGH NAGARA,
JAYADEVA CIRCLE,
DAVANAGERE - 577 002.

…PETITIONER

(BY SRI. DAMODAR N.N., ADVOCATE)

AND:

STATE OF KARNATAKA
BY POLICE SUB-INSPECTOR,
EXTENSION POLICE STATION,
DAVANAGERE - 577 002,
REP.BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE - 560 001.

…RESPONDENT

(BY SRI. MOHD. AYUB ALI, ADDITIONAL SPP)

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

THIS CRL.P IS FILED UNDER SECTION 438 (FILED UNDER SECTION 482 BNSS) CR.P.C PRAYING TO GRANT ANTICIPATORY BAIL TO THE PETITIONER/ACCUSED NO.3 IN THE EVENT OF HER ARREST IN CRIME NO.218/2025

REGISTERED BY THE RESPONDENT - DAVANAGERE EXTENSION POLICE ON 27.10.2025 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 318(2), 335, 340(2), 336(2), 336(3) AND 3(5) OF BNS 2023 NOW ON THE FILE OF THE II ADDITIONAL CIVIL JUDGE AND JMFC, DAVANAGERE.

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.3 under Section 482 of Bharatiya Nagrika Suraksha Sanhita, 2023 praying to grant anticipatory bail in Crime No.218/2025 of Davanagere Extention Police Station registered for offences punishable under Sections 318(2), 335, 340(2), 336(2), 336(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. Heard learned counsel for petitioner and learned Additional State Public Prosecutor for respondent - State.

3. Learned counsel for petitioner would contend that, the allegation against the petitioner is of creating sanction plan for construction of house. The petitioner is not aware who has created the said document. The petitioner pursuant to the notice appeared before the Investigating Officer and gave her statement on 14.11.2025 and cooperated for investigation. Therefore, the petitioner is not required for custodial interrogation. The offences alleged against the petitioner are not punishable either with death or imprisonment for life. There are no criminal antecedents of the petitioner. With these, he prayed to allow the petition.

4. Per contra, learned Additional State Public Prosecutor for respondent would contend that, the petitioner has appeared before the Investigating Officer and gave her statement on 14.11.2025. The petitioner has created a document i.e., sanctioned plan for construction of house. The offence alleged against the petitioner is

heinous offence. The investigation is in progress. 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. The Joint director, Town Planning, Municipal Corporation, Davangere filed a complaint against three (3) persons and based on which, a case has been registered in Crime No.218/2025 for aforesaid offences. The petitioner has been arrayed as accused No.3. The allegation against the petitioner in the said complaint is that she created a sanction plan for construction of a house. The petitioner has appeared before the Investigating Officer and gave her statement and her statement has been recorded by the Investigating Officer. Considering the same, it is clear that the petitioner has co-operated with the Investigating Officer in investigation. The offences alleged against the petitioner are not punishable either with death or

imprisonment for life. The petitioner is a woman and she is not having any criminal antecedents.

7. Considering all the above aspects, 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.218/2025 of Davanagere Extention Police Station and is ordered to be released on bail in the event her 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 her from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

KLV
List No.: 1 Sl No.: 22