

IN THE COURT OF THE IV ADDL. CHIEF JUDICIAL
MAGISTRATE, AT BENGALURU

C.C. 21344/2012

Complainant : KSIIDC

V/s.

Accused : 5) Sri.B.S.Naveen,
S/o. Sri.B.Suryanaraya Setty
Aged about 37 years,
6) Smt.Sundaralakshmi,
Aged about 34 years,
Both are residing at
No.1987, 18th Cross, 3rd Main,
II Phase, J.P.Nagar,
Bengaluru -78.

CHARGE

I, **Sri. Keshavamurthy.B. B.A., L.L.B.**, IV Addl. Chief Judicial Magistrate, do hereby charge as follows:

That you accused No.5 and 6 being the partners of firms by name M/s. Balaji Dyeing and Printing Works situated at 1st cross, R.V.Road, 18th Cross, 3rd Main, II Phase, J.P.Nagar, along with remaining accused persons and you have applied for loan from the complainant finance i.e., M/s. Karnataka State Industrial Investment and Development Corporation Limited and considering your request the complainant has sanctioned loan amount of Rs.100 Lakhs by sanction communication letter dated 27.03.1998 and an additional term loan of Rs.100 Lakhs was also sanctioned by sanction communication letter dated 7.12.1998 as per the loan agreement dated 28.3.1998 and 28.12.1998 respectively.

Further, you had also availed additional loan of Rs.80 Lakhs from the complainant by communication letter dated 26.10.1999 through loan agreement dated 30.10.1998 and at the time of availing loan you have agreed to the terms and conditions of the loan agreements dated 30.10.1999, 28.03.1998 and 28.12.1998. Further you have also executed irrevocable unconditional personal guarantees of all the partners on 28.03.1998, 28.12.1998 and 30.10.1999 in favour of the complainant corporation, but later on you have violated the terms and conditions of the loan agreement and the hypothecated machineries were also missing and you have sold the assets hypothecated to the complainant corporation for the wrongful gain and to cause loss to the complainant and thereby you have committed an offence punishable under Section 406 of IPC and within the cognizance of this Court.

Further, you have availed a loan on different dates as stated above but you have not repaid the loan amount and sold the hypothecated assets and you are due to a sum of Rs.5,98,03,978/- and by violating the terms and conditions of the loan agreement and hypothecation deed and personal guarantee you have cheated the complainant corporation in order to make wrongful gain without repaying the loan to the complainant corporation as per the agreed terms and conditions and thereby you have committed offences punishable under Section 420 of IPC.

And I hereby direct that you be tried by me on the above said charge.

Dated: 07.01.2025

Place: Bengaluru

IV Addl. CJM., Bengaluru.

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Complainant : KSIIDC

V/s.

Accused : 5) Sri.B.S.Naveen,
S/o. Sri.B.Suryanaraya Setty
Aged about 37 years,

PLEA

Q.1.Did you understand the charge now read over and explained to you?

Ans:

Q.2.Do you plead guilty for the charge or claim to be tried?

Ans:

Certified that the above contents of the Charge was read over and explained to the Accused in the language known to him/them who has/have admitted the correctness of the same.

Dated: 07.01.2025

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Complainant : KSIIDC

V/s.

Accused : 6) Smt.Sundaralakshmi,
Aged about 34 years,

PLEA

Q.1. Did you understand the charge now read over and explained to you?

Ans:

Q.2. Do you plead guilty for the charge or claim to be tried?

Ans:

Certified that the above contents of the Charge was read over and explained to the Accused in the language known to him/them who has/have admitted the correctness of the same.

Dated: 07.01.2025

Place: Bengaluru

IV Addl. CJM., Bengaluru.