IN THE COURT OF VI ADDL. DISTRICT & SESSIONS JUDGE, BENGALURU RURAL DISTRICT, BENGALURU.

Dated this the 09th day of June, 2026

PRESENT
Sri. Devananda B.Com., LL.M.
VI Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.

Crl.Misc.No.1081/2026

Petitioners: 1. Nataraj Y E,
S/o Late. K. Eshwar,
Aged about 46 years,
No.1816, 1st block,
Sir.M.Vishweshwaraiah Layout,
Nagadevanahalli,
Bangalore – 560 056.

2. Vignesh N,
S/o Neelakantan,
Aged about 36 years,
No.11/2, Neelakantan Villa,
Vigneshwara Layout,
3rd main, 18th H Cross, Hoysala Nagara,
Ramamurthy Nagara, Bangalore North,
Bangalore – 560 016.

(Rep. By Suhas T L, Advocate)

-Vs-

Respondent: State by Whitefield Police Station.

(By learned Public Prosecutor)

ORDER

This petition is filed by the petitioners/accused U/Sec.482 of BNSS seeking a direction to respondent-Police to release him on bail in the event of his arrest in Crime No.383/2026 registered by the respondent-police for the offences punishable U/sec. 316(2), 318(4) of BNS.

2. The facts averred in the complaint preferred by the complainant discloses that, on June 16, 2025, a person named Subhash Chand introduced the complainant, Shri Shivamurthy, to two individuals named Nataraju and Vishesh (also referred to as Vishwesh/Vidhesh). The complainant was informed that Nataraju and Vishesh could help purchase new cars directly from dealers at discounted rates. Since the complainant wanted to buy an XUV 700, he showed interest. Nataraju claimed he knew a man named Nagendra who worked at the Ananth Car Showroom. He assured the complainant that they could

secure a 30% to 35% discount by purchasing the car under Nagendra’s name. The actual price of the XUV 700 was ₹27,70,000. Nataraju promised a discount of ₹9,20,000, promising to deliver the brand-new car within one month of receiving the initial payment. Believing their claims, the complainant transferred a total of ₹14,67,000 in stages into the bank accounts of Nataraju, Vishesh, and Subhash Chand. Despite taking the money, the accused failed to deliver the car within the promised time frame. On January 2, 2016, the accused individuals executed a "Confirmation Deed" promising to return the money, but they failed to refund it. Nataraju issued two cheques from his Karnataka Bank account to the complainant, both of which bounced upon presentation. Nataraju, Vishesh, and Subhash Chand conspired to cheat the complainant by falsely promising a discounted XUV 700, collecting ₹14,67,000 in installments, and failing to provide either the car or a refund. Based on this complaint, an official investigation has been initiated against the accused individuals.

3. Based on the said information, the respondent-Police have registered FIR against the accused for the above said offences. Now, the petitioners who are accused of commission of offences alleged, apprehending their arrest at the hands of respondent-Police, have filed this petition seeking pre-arrest bail on the following amongst other grounds:

The dispute stems from a failed arrangement where the Petitioners offered to help the complainant purchase a Mahindra XUV 700 at a discount through the "Mahindra Parivar Scheme" via a contact at Ananth Car Showroom. Due to mismanagement by the showroom and circumstances beyond control, the scheme was canceled. The Petitioner had issued two post-dated cheques, which were allegedly presented for clearance by the complainant without the Petitioner's knowledge and subsequently dishonored due to insufficient funds. The Petitioners argue that the case is strictly a financial transaction involving bounced cheques. Therefore, it should be dealt with under Section 138 of the Negotiable Instruments (N.I.) Act, rather than through criminal charges. They contend that the ingredients for criminal breach of trust or cheating under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita (BNS) do not apply, as the Petitioner did not deal with or dishonestly induce the delivery of any money or goods belonging to the Complainant. The Petitioners claim the Complainant filed a false, baseless, and frivolous FIR to maliciously coerce them into paying money, without verifying the true facts. They maintain they are completely innocent with no evidence on record to prove guilt. The Petitioners assert they are innocent individuals from a respectable family with deep, established roots in society. They are permanent residents of Bangalore (providing Aadhaar cards as proof) and are the caretakers of their age-old parents and family. Following the registration of the FIR, the Petitioners apprehend arrest and are seeking protection of their personal liberty. The Petitioners undertake to abide by all court-imposed conditions, provide acceptable sureties, regularly appear before the court and assure that they will not influence or tamper with the complaint or witnesses. They also confirm that no other similar petition is pending on the same cause of action. Based on the aforesaid grounds they seek for allowing of the petition.

4. The bail petition was opposed by the learned Public Prosecutor for state by filing his objections. The reasons provided by the applicant in the anticipatory bail petition are baseless and are strongly denied. If released on anticipatory bail, there is a high probability that the applicant will threaten and intimidate the complainant and witnesses to prevent them from testifying in court. There is a significant risk that the applicant will go into hiding/abscond if granted bail. There is a strong likelihood that the applicant will destroy prosecution evidence if released. There is a danger that the applicant will engage in similar criminal activities again if released on anticipatory bail. The prosecution requests the Honorable Court to consider the criteria laid down by the Supreme Court and High Court regarding the hearing of anticipatory bail petitions in serious criminal offenses. The case is registered at the Whitefield Police Station under Crime No. 383/2026 for serious offenses under Sections 316(2)

and 318(4) of the Bharatiya Nyaya Sanhita (BNS). The matter is currently still under investigation. The accused (A-1) received money from the complainant's side, and police custodial interrogation is necessary to find out what was done with that money. Interrogation is required to determine if any other individuals were involved in this crime alongside A-1. An investigation/interrogation is necessary to check whether the accused (A-1) used the cheated money to purchase any properties. Based on the aforesaid grounds of objections, the prosecution seeks for rejection of anticipatory bail petition.

5. Heard arguments on both sides. Perused the records.

6. The following points that arise for consideration of this court are:

1. Whether the petitioners have made out sufficient grounds for grant of anticipatory bail?

2. What order?

7. The finding of this court on the above said points are as under:

Point No. 1: In the Affirmative.

Point No. 2: As per final order,
for the following;

REASONS

8. **POINT NO.1**: The petitioners along with petition has produced certified copies of FIR, information, remand application, requisition, arrest report and copy of Adhaar card.

9. The petitioners are accused of commission of offences punishable U/Ss. 316(2), 318(4) of BNS. As the offences U/Ss. 316(2), 318(4) of BNS are cognizable, apprehension of accused-petitioners of their arrest is well founded. As such, they can maintain this petition.

10. The learned counsel for petitioners urged that, the petitioners have not committed any offences as alleged by the informant. The informant has lodged false information against the petitioners. On the other hand, the

learned PP submitted that, there is prima-facie case against the petitioners. If they are released on bail, there are chances of petitioners giving threat to the witnesses, destroying of evidence, abscond permanently and derail the investigation process.

11. On examination of over all materials placed before the court by the investigating agency through prosecution as well as by the petitioners, it could be ascertained that the offences alleged against the accused are not punishable with death or imprisonment for life. There are no chances of causing interference with the investigation by the accused/petitioners and causing threat to the prosecution witnesses or destroying the evidence or proof of prosecution. The accused/petitioners appears to be the permanent residents of address mentioned in the cause title of the petition. The materials also discloses about issuance of cheques in respect of the monetary transactions between the complainant and the accused/petitioners. The accused/petitioners specifically pleaded about stopping of the scheme in showroom and about mismanagement which leads to the dispute between

the parties. In respect of monetary transactions the remedy is also available under the provisions of NI Act and also before civil court of law seeking for recovery of vehicle or for recovery of money paid towards the vehicle as the case may be. The nature of facts involved in the case on hand does not require the presence of this accused/petitioners for the purpose of custodial interrogation by the concerned police. This accused/petitioners can co-operate with investigation with concerned police subsequently also. Further in respect of apprehension expressed by the prosecution and on the basis of the manner in which the alleged offences committed against the accused, it is just and necessary to impose one of the conditions to furnish cash security amount of Rs.50,000/- by each accused/petitioner no.1 and 2 along with other conditions will fulfill the object under the facts and circumstances of this case. Therefore, this court is of the opinion that the petition preferred by the petitioners merit the consideration of this court and deserves to be allowed in the interest of justice as the petitioners have made out sufficient grounds to consider their petition and hence, this court hereby answers the point no.1 in the **Affirmative**.

12. **POINT NO.2:** In view of the discussions and findings to above said point no.1, this court proceed to pass the following:

ORDER

Petition filed by petitioners/accused U/Sec.482 of BNSS is hereby allowed.

Consequently, in the event of arrest of petitioners/accused in Crime No.383/2026 of Whitefield Police Station, he is ordered to be released on bail, on his executing personal bond for a sum of Rs. 1,00,000/- each by each accused/petitioners 1 and 2 and with a surety for like-sum by each accused petitioner No.1 and 2 to the satisfaction of the Investigating Officer/Police Officer and to furnish cash security amount of Rs.50,000/- each by each accused/petitioner no.1 and 2 in the office of concerned Judicial Magistrate court on the following conditions:

1. The petitioners shall appear before the Investigating Officer on or before one month from the date of this order and in that event Investigation Officer to take bonds and to release them.

2. They shall appear before investigating officer as and when called upon and to extend fullest co-operation in the investigation.

3. They shall not cause threat to the prosecution witnesses in any manner.

4. They shall not indulge in similar offences in any manner.

(Dictated to the Stenographer transcribed by her and transcript, corrected by me and then pronounced in open Court on this the **09th day of June, 2026**)

(Devananda)
VI Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.

Order pronounced in open court
(vide separate order sheet)

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