

KACM010012712026



**IN THE COURT OF THE PRINCIPAL DISTRICT
AND SESSIONS JUDGE AT Chikkamagalur**

Dated this the 20th day of June, 2026

PRESENT

Sri. Ravindra Hegde, M.A., LL.M.,

Prl. District & Sessions Judge,
Chikkamagalur.

Crl. Misc.366/2026

Petitioner:

C.H. Pradeep,
S/o Late Hanumantha Naidu,
Aged 43 years,
R/o Belur Road, Kote,
Chikkamagalur.

(By **Sri. H.A.T., Advocate**)

Vs.

Respondent:

State by Chikkamagalur Town Police

(By learned Public Prosecutor)

ORDER

This petition is filed by the petitioner under Section 482 of B.N.S.S., 2023, seeking anticipatory bail in Crime No.90-2026 of Chikkamagaluru Town police Station, for



the offences punishable under Section 61(2), 316(2), 316(4), 318(4), 3(5) of BNS.

2. It is the case of petitioner that, he has not committed any offence alleged against him and he is innocent of the same, but a false case has been registered against him. It is stated that there is no prima facie case against the petitioner. He is not an influential person who could tamper the prosecution witnesses. There are no reasonable grounds to believe that he has committed offence alleged against him, but the respondent police have registered a false case against him by making false allegations. It is stated that he hails from respectable family and he has got movable and immovable properties and there are no chance of his absconding if he is let on bail. It is stated the investigation is already over and he is not required for investigation. It is stated that, he is ready to abide by any conditions imposed by the Court and prayed to grant him anticipatory bail.

3. The learned Public Prosecutor has filed



objections to the petition, narrating the case of the prosecution and contended that, there are prima facie material to show that the petitioner has committed the alleged offences. It is stated that, the Investigating officer has visited the spot, conducted mahazar and recorded the statement of the witnesses. It is stated that the material on record prima facie discloses the commission of the alleged offences by the petitioner. It is stated that the investigation in the matter is not yet completed and the statements of few more witnesses are yet to be taken and some more materials yet to be traced. The petitioner is politically and economically strong person and if at this stage he is enlarged on anticipatory bail, there is a chance of committing similar offences, tampering the prosecution witnesses and evidence and absconding and thereby hampering the trial. On these grounds, prayed to reject the petition.

4. Heard arguments of both sides. Perused the records.

5. Now, the points that arise for my



consideration are:

1. **Whether the petitioner is to be granted anticipatory bail as prayed ?**
2. **What order ?**

6. My answer to the above points are as under:

Point No.1 :: In the **Affirmative**,

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

REASONS

7. **Point No.1:** Case of the prosecution in brief is that, on 12.05.2026 at about 7.00 pm the complainant has lodged a complaint before the Respondent Police, stating that himself and accused are Directors of "i2e Retailing Private Limited" and both of them have 50% shareholding in the same. It is stated that this company is carrying out business of real estate and other allied activities. The company had purchased the lands bearing survey no. 173/2 and 173/10 situated at Nellore Village, Kasaba Hobli, Chikmangaluru Taluk, measuring an extent



of 1 acre 37 guntas, for the purpose of formation of layout and the land bearing survey no. 173/3-A was the adjacent land of the above said survey numbers and the company negotiated with the owner of the Sy. No 173/3-A, measuring about 3 acre 2 guntas for development of the layout and in this regard the company had entered into a memorandum of understanding with the owners of the said land and a substantial amount was paid by the company to the above said owner. It is stated that the company has developed a residential layout in the above said survey numbers in the name and style of "VENKATADHRI ENCLAVE", the construction was completed and the local planning authority released the sites for sale on 30/03/2024. It is stated that trusting the director of the company i.e, Petitioner, the Complainant has consented to appoint him as authorized signatory of the company who shall have powers for signing the bank documents and also any other company related deeds. It is stated that, the company had sold substantial number of sites in the said layout and very few are remaining to be sold as on 12/05/2026 and the sale proceeds of the



sites of the company was deposited to the company account from the year 2022. It is stated that the accused and his family members viz., his wife Smt. Veena, and his mother Smt. S.V Saraswathi, have invested a sum of Rs. 1,32,30,000/-(Rupees One Crore Thirty Two Lakhs Thirty Thousand Only) , such being the case, the accused has unauthorizedly and illegally with criminal intention of cheating the complainant, with dishonest, fraudulent and criminal intention, has transferred a sum of Rs.2,35,00,000/-Rupees Two Crore Thirty Five Lakhs Only) to his own and other's accounts. It is stated that the accused is only a 50% shareholder in the company, as such at any stretch of imagination he could not have transferred the said amount without the consent and authorization by the Complainant and thereby made illegal transfer of funds on multiple dates between 30/09/2021 till date. It is stated that the accused also siphoned off a sum of Rs. 12,50,000/- (Rupees Twelve Lakhs Fifty Thousand Only) and manipulated the account statements of the company claiming false investments in cash. It is stated that the accused No.2 and 3 who are



the company accountant and chartered Accountant, have joined their hands with the accused No.1 in committing the alleged offences and there by the accused persons have committed breach of trust and also cheated the complainant to a sum of Rs.2,35,00,000/- by concocting the documents for the said purpose. Based on this complaint, FIR is lodged against the accused for the alleged offences. Accused No.1 has now filed present petition, seeking anticipatory bail. Same is opposed by Prosecution.

8. Learned counsel for the petitioner has argued in support of the petition and argued that petitioner is innocent and law abiding citizen and he has been falsely implicated in the case though there is no prima facie material against him for having committed any offences. On the contrary, learned Public Prosecutor has opposed to grant bail to the petitioner, on the ground that, there is prima facie case against the petitioner, if the petitioner is granted anticipatory bail at this stage, he would certainly hamper investigation and may not extend cooperation for



investigation of the crime and further he may try to tamper prosecution witnesses and commit similar offence and flee away from justice in which event, it would not only affect the fair investigation but also cause prejudice to the case of prosecution and hence prays to reject the petition.

9. On perusal of the record, it is evident that the dispute between the complainant and the petitioner is deeply rooted in personal dispute involving allegations of financial misappropriation and fabrication of documents. The alleged offences are not punishable with death or imprisonment for life. The documents produced by the petitioner, during course of hearing show that both the directors, i.e., Petitioner and Complainant have signed the Annual Report of the year 2023 to 2025, without any reservation. Similarly sale deed of the propriety referred in the complaint produced by the petitioner, show that the property in Sy.No.173/3A was purchased in the name of petitioner and not in the name of company, whereas, property in Sy No.173/10 is purchased in the name of



Company. Whether both the properties in which sites were formed belong to the company and whether petitioner misappropriated funds of the company by selling those sites etc., cannot be decided at this stage. etc., Complaint was lodged on 12.05.2026 and more than one month time is already over. Therefore, by this time major portion of investigation might have been completed. There are no material which justify pre-trial detention of the petitioner.

10. The petitioner is the permanent resident of the cause title address having deep roots in the society. The prosecution has not placed anything on record to show that he petitioner has criminal antecedents. There is nothing on record to show that he would abscond or flee from justice if granted anticipatory bail. Mere apprehension by the prosecution that the petitioner may influence witnesses is not sufficient ground to deny bail, especially when no justifiable material is produced to substantiate such apprehension.

11. Having regard to the facts and circumstances



of the case, nature of allegations, and the fact that petitioner is not arrested for all this period of more than one month, it is proper to grant anticipatory bail. The petitioner has undertaken to obey the conditions which may be imposed on him. The apprehension of the learned Public Prosecutor could be safeguarded by imposing suitable conditions upon the petitioner. Accordingly, I answer the above point No.1 in the affirmative .

12. **Point No.2:** For the discussions made on above point, the following order is passed:

ORDER

Petition filed by the petitioner under Section 482 of B.N.S.S., 2023, is allowed.

In the event of arrest of the petitioner in Crime No.90/2026 of Chikkamagalur Town Police Station, for the offences punishable under Sections 61(2), 316(2), 316(4), 318(4) r/w Section 3(5) of B.N.S., 2023 , he is ordered to be released on bail on his executing personal bond



for a sum of Rs.2,00,000/- (Rupees two lakhs only) with two surety for likesum, subject to following conditions:

1. The petitioner shall surrender himself before the Investigating Officer within 15 days from the date of this order.
2. He shall not threaten witnesses or tamper with the prosecution witnesses in any manner.
3. He shall make himself available before the Investigating Officer or before the Court whenever required and shall co-operate in investigation.
4. He shall not involve in similar or any other offences.

(Typed to my online dictation by the Stenographer Grade-III on Computer and after corrections, signed and then pronounced by me in open Court on this the **20th day of June, 2026.**)

(Ravindra Hegde)
Prl. District & Sessions Judge,
Chikkamaglauru.

*mvp/-