



**IN THE COURT OF THE SENIOR CIVIL JUDGE AND J.M.F.C.,  
N.R.PURA**

**Present: Sri. Raghunatha Gowda K.T., B.Com.,L.L.B  
Senior Civil Judge & J.M.F.C., N.R.Pura**

**Dated this the 19<sup>th</sup> day of January, 2026**

**C.C. No.90/2025**

Complainant : Narasimharajapura Police

(Represented by learned A.P.P.,)

V/s

Accused : Rajesh M. @ Praveena & others.

Applicant : Sri. Bharath B.Y.,  
S/o. B.V. Yathiraj,  
Aged about 35 years,  
Honnapura, Hosahalli Post,  
Nidige Hobli, Gaganooru,  
Shivamogga Taluk & District.  
577 202.

(Applicant represented by Sri.K.S.S., Advocate)

**ORDER ON APPLICATION FILED UNDER SECTION 457  
OF CR.P.C.**

This application is filed by the applicant who is complainant in this case. He filed the present application to interim release the interest amount to interim custody in



the deposit of defreze in Kaveri Grameena Bank, Narasimharajapura Branch in his favour.

2. It is stated in the application that during the course of investigation Rs.50,00,000/- has freezed in the account No.85054115869 at Kaveri Grameena Bank, Narasimharajapura on 05.08.2023 to defreeze the said amount in his favour, against the said order the respondent filed an appeal and said appeal was dismissed. Thereafter he withdraw the money amount of Rs.50,00,000/- and the interest was not paid to the applicant so that reason he filed this application. Hence he sought to release the interim custody of said amount in his favour, he is ready to undertake to abide the any conditions imposed by this Court. Hence he prays to allow the application.

3. The Learned APP filed objection contended that the application filed by the applicant is not maintainable and if the amount is released the applicant shall make use of the same and he did not produce before the Court, when the trial. Hence he prays to reject the said application.

4. Further accused counsel filed objection to the said application contended that the application filed by the applicant is not maintainable. Further he admitted that he has challenge the release amount of Rs.50,00,000/- in



favour of applicant before the Appellate Court same was rejected. Further he contended that there is no specific order to release the interest in favour of applicant. Hence he prays to reject the said application.

5. Heard and perused the material placed on record.

6. The following points arise for consideration.

1. Whether the applicant has made out grounds for release the interest amount in question to his interim custody?

2. What order?

7. My answers to the above points are as follows:

**Point No.1:** In the affirmative

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

**:REASONS:**

8. **Point No.1** : On careful perusal of material placed on record, it reveals that the present applicant had filed complaint with N.R.Pura Police against the accused persons for offence punishable under Section 406, 420, 417, 419, 323, 506, 120(b), 201 and Section34 of I.P.C. Admittedly on 05.08.2023 to interim release an amount of Rs.50,00,000/-



which was freezed in favour of applicant, the accused challenging the said order same was dismissed by Hon'ble High Court of Karnataka. Further as per the report submit by the Investigation Officer that an amount of Rs.12,89,707/-, which was accrued interest to amount of Rs.50,00,000/- kept in the account. Now the petitioner/applicant filed the application to release interim custody of the said amount. Further the only contention of the accused that there is no specific order to release the interest amount in favour of applicant. At this juncture there is no rival claim in respect of to interim release of interest amount to the applicant.

9. Thus, on careful perusal of entire material placed on record, prima facie it reveals that the seized / interest amount is pertaining to the complainant. There is no any other rival claimants to claim the said amount. Thus, prima facie it is clear that the seized / interest amount is pertaining to the complainant and directed the I.O. to interim relief the interest amount which was the account of Smt. Lalithamma, W/o. Mukunde Gowda bearing the account No.8505411589, Kaveri Grameena Bank, N.R.Pura in favour of applicant account. Hence, it is just and proper to interim release the amount to his interim custody with



conditions. The only apprehension of the prosecution is that the applicant may not produce the said amount at the time of trial and the same is necessary at the time of trial. The said apprehension can be protected by directing the Investigation Officer to draw detail panchanama and take photographs of the currency notes as shown in respective PFs. Thus, this Court is of the opinion that it is just and proper to release the cash in question to the interim custody of the applicant. Hence, I answer the **point No.1 in the affirmative.**

10. **Point No.2.:** In view of the aforesaid reasons, I proceed to pass the following:

### **ORDER**

The application filed under Section 457 of CR.P.C. is hereby allowed.

The interest amount which is deposited in Kavri Grameena Bank, Narasimharajapura to be released to the interim custody of the applicant on the following conditions:

1. Applicant shall execute indemnity bond of such amount with One surety for the like sum.



2. The I.O is directed to release the interest amount the account of Smt. Lalithamma, W/o. Mukunde Gowda bearing the account No.8505411589, Kaveri Grameena Bank, N.R.Pura in favour of applicant account to the interim custody of the applicant by drawing mahazar, and taking photographs of the same and furnish the photographs and CD with certificate under Section 65B of Evidence Act, to the Court at the cost of the applicant.

(Dictated to the stenographer, the same revised, corrected and pronounced in the open court on 19<sup>th</sup> day of January, 2026)

Sd/-

**(Raghunatha Gowda K.T.)**  
Senior Civil Judge and J.M.F.C.,  
N.R.Pura.