

KADK010023222026



Presented on : 26-05-2026
Registered on : 26-05-2026
Decided on : 20-06-2026
Duration : 25 days.

**In the Court of III Additional District Judge, D.K.,
Mangaluru.**

Present:- Sri. Shridhar Gopalakrishna Bhat,
III Additional District and Sessions Judge,
D.K., Mangaluru.

Dated: This the 20th day of June, 2026

Crl.Misc.No: 464/2026

Petitioner :	Mrs. Prasadini K, D/o. Vasu Gudigar, W/o. Veeresh S.S, Aged 37 years, Permanent resident of H.No.1/87, Near Bus Stand, Kervashe, Udupi, Karnataka-574122, Presently residing at F3, 6 th Floor, Durgaparameshwari Apartment, 7 th Cross, Gandhinagar, Mangaluru-575003. (Sri. Manoraj Rajeeva, Advocate)
	AND
Respondent:	The State of Karnataka, Represented by Learned Special Public Prosecutor, Mangalore. (By learned Public Prosecutor)

ORDERS

The petitioner has filed petition under section 482 of Bharathiya Nagarika Suraksha Sanhitha, 2023 (in short B.N.S.S), seeking an order of anticipatory bail in her favour in the event of her arrest in Crime No.12/2025 of Karnataka Lokayuktha Police Station, Mangaluru for the offences punishable under sections 7(b), 7(c) and 12 of the Prevention of Corruption Act, as amended in 2018, pending on the file of this Court.

2. The Petitioner in her bail petition narrated the facts of the case leading to the registration of the present case and further contended that she has been discharging her duty as Deputy Director of Land Records. At present she is on maternity leave from 10-11-2025. As she delivered on 05-12-2025 she is yet to resume duty. Further as per the Government records and orders, the Assistant Director of Land Records (in short ADLR) was authorised to take the service of the car driver on contract basis and was also empowered to invite tenders/quotation for such appointment. The Commissioner of Survey Settlement and Land Records permitted the ADLR to call for tenders for appointment of a driver to his office on contract basis. In pursuant to the same, tender was called for and a driver was appointed on contract basis.

3. It is further contended that, the Petitioner being DDLR had no role whatsoever in the process of

inviting tenders or appointment of a driver for the office of the ADLR. The salary payable to contract employees is drawn and disbursed by the concerned agency and not by the Petitioner being DDLR. The Joint Director of Land Records releases the funds towards payment of salary to the contract employees, and the same is directly paid by the agency of the concerned employees. Hence, the petitioner, being the DDLR, had neither control over nor any role in appointing or in payment of salary to the contract employees appointed by the office of the ADLR. She has never demanded any bribe from anyone, much less from the complainant. The contents of complaint would disclose that she had absolutely no role in the alleged demand or acceptance of bribe. Since she had no role either in the appointment of the complainant or in the payment of his salary, question of her demanding bribe does not arise. The complainant falsely alleged that he was removed from service for non payment of alleged bribe. Infact on the basis of Government Policy, certain contract employees were discharged from the agency concerned. Hence, the complainant was discharged from service solely on an action taken by the agency in compliance with Government Policy. She is noway connected or involved in the alleged offence and completely innocent of the same. She has been falsely implicated in this case without any justifiable grounds.

4. It is further contended that absolutely there is no prima-faice material on record to show her involvement in

the commission of the alleged offence. Further the offences alleged are not punishable with death or imprisonment for life. Presently, she is serving as DDLR at Mangalore and holds responsible Government position and enjoying good reputation and respect in the society and there is no question of her absconding or evading process of law. Further she is the law abiding citizen, hailing from a respectable family and hence jumping of bail or flee from justice does not arise. She has no previous criminal antecedents whatsoever. Further she is ready and willing to furnish solvent surety and also abide by all terms and conditions that may be imposed. She has also undertaken to co-operate with the Investigating Officer for investigation and also appear before the Investigating Officer as well as before this Court whenever required.

5. It is further contended that, now she is in maternity leave and she had received the credible information from reliable sources that attempts are being made by the police to unnecessarily implicate her in the present case under the influence and intervention of interested persons. She has a bona fide apprehension of her arrest despite of having not committed any offence whatsoever. Even the notice has been issued under section 35(3) of BNSS by the Lokayuktha police for enquiry. However, since she was on maternity leave, they had not insisted. But, now it is learnt that they are taking steps to arrest her. Under these attending circumstances,

she is constrained to file the present petition Accordingly, on these grounds prayed for allowing the petition.

6. Along with the petition, the Petitioner has produced certified copy of FIR along with complaint, photostat copy of bail order dated 11-12-2025 passed by this Court, original notice issued by Lokayuktha police under Section 35(3) of BNSS to her, photostat copy of leave sanction letters dated 05-11-2025, 18-02-2026 and 20-05-2026 and copy of her Aadhar Card. The Petitioner has also produced copies of various other 15 documents under additional list of documents dated 04-06-2026 to substantiate her contentions.

7. After filing of the petition, this Court was pleased to issue notice to the Respondent police through learned Special Public Prosecutor. The learned Special Public Prosecutor has filed detailed objection with report of the Investigating Officer stating the facts of the case and also investigation so far conducted and opposed the bail application of the Petitioner contending that the case is under investigation and conversation between the accused No.1 and informant on 23-10-2025 in voice recorder reveals as to involvement of the Petitioner who is working as DDLR at Mangalore. Further the Petitioner has taken service of informant as driver when the regular departmental driver was on leave and same could be seen from log book. Further the Petitioner had received the application of the complainant for his appointment as

driver on contract basis and also sought for permission of the Commissioner of Land Records, Bangalore for appointment of the informant on contract basis. The service of the informant was taken about six months without issuing appointment Order and salary to him due to which the informant put to hardship. Even in the complaint, the complainant has sought for investigation against the present Petitioner also. The investigation as to involvement of Petitioner is yet to be enquired and the Petitioner has not appeared for enquiry. The grounds sought by the Petitioner in her application are not sustainable and she is not co-operating with the investigation. She is taking leave without any reason as the Investigating Officer is arresting her. Accordingly, prayed for dismissal of the petition.

8. Heard the arguments of the Learned Counsel for the Petitioner as well as the Learned Special Public Prosecutor on the petition. Perused the entire materials on record.

9. On hearing the arguments and on perusal of the entire materials available on file, the points that would arise for consideration are:

1. Whether the petitioner is entitled for anticipatory bail as sought for?
2. What order?

10. After hearing the arguments of both the parties and considering the relevant materials on record the above points are answered as under:

Point No.1: In the Affirmative

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

REASONS

11. **Point No.1:** On going through the prosecution papers available at this stage, it is clear that Karnataka Lokayuktha police, Mangalore have registered the case in Crime No.12/2025 on 26-11-2025 for the offences p/u/s.7(b), 7(c) and 12 of PC Act on the basis of information statement lodged by Sri. Dananjay S, who was taken as a driver on contract basis. The brief facts of the case of the complainant are that from 28-05-2021 to September 2024, he was working on a contract basis at UPOR, Mangalore, D.K, pursuant to the appointment order issued by Samarth Allied Services, Shivajinagar, D. Hipparagi road, Talikoti, Vijayapura. On expiry of the tender period of the said agency, he was told by the surveyor by name Krishnamurthy to pay Rs. 50,000/- to certain lady in order to continue his duty under same agency. However, when the complainant refused to pay the said amount, he was removed from service. Further during the period of his employment, PF contribution was also not credited. Thereafter, on 16-06-2025 the accused No.3 requested the complainant to work as

driver for the vehicle of accused No.2 ADLR and accordingly, the complainant has rendered his service for past 4 to 5 months. ADLR repeatedly assured him on monthly basis that his salary would be paid and that he would be accommodated in the next outsourced appointment and on such assurance, the complainant continued to discharge his duty without any salary. When the complainant approached accused No.2 regarding payment of salary, he had demanded bribe of Rs. 50,000/-. Since the complainant had not received any salary and was facing severe financial hardship, he was not ready to pay any illegal gratification for continuation of work and hence he has approached Karnataka Lokayuktha police on 23-10-2025 and informed the concerned officer regarding the circumstances and obtained voice recorder from the Police Station. Further the complainant informed that the staff in the office of DDLR spoke to accused No.1 and accused No.1 has demanded money from him for continuation of outsourcing work. During conversation, the accused No.1 asked him to give Rs. 1,00,000/- and assured to inform him after speaking with madam, which was also recorded in the voice recorder. Subsequently, on 12-11-2025 while the complainant was perusing the matter relating to the salary bills and also outsource appointment order, accused No.3 informed him that money had to be paid to ADLR/ accused No.2 and one Vasantha in connection with the same and accordingly, accused No.2 allegedly consented to such

employment. Thereafter, accused No.3 asked the complainant to pay Rs. 10,000/- to accused No.2 and one Vasanth and further stated that even Rs. 5,000/- would be suffice and thereby demanded illegal gratification and the said conversation was recorded on the complainant's mobile phone. On 17-11-2025 the accused NO.1 demanded bribe of Rs. 50,000/- in relation to the complainant's salary bill and appointment order and said conversation was also recorded in the voice recorder. On the basis of these facts, the complainant requested for legal action and accordingly, the present case was registered against the accused Nos.1 to 3.

12. It is further noticed from the report of the Investigating Officer and objections filed that after receiving the information statement, Karnataka Lokayuktha police prepared the trap proceedings and conducted trap of accused No.1 on 27-11-2025 and caught hold him while receiving Rs. 20,000/- bribe from the complainant. At that time, it was also revealed that the accused No.2 had received bribe amount of Rs. 5,000/- from the informant and accused No.3 had instigated the complainant to pay the bribe amount of Rs. 5,000/- to one ADLR by name Vasanth for his work, and thereby the present case is registered for the said offences.

13. In this case, it is noticed that the accused Nos.1 to 3 were arrested and they were released on

regular bail by order dated 11-12-2025. Now the Investigating Officer had issued notice under Section 35(3) of BNSS to the Petitioner calling her for enquiry in this case. In view of the same, now the Petitioner has come up with the present petition apprehending arrest by the Investigating Officer.

14. It is needless to say that while granting or rejecting the anticipatory bail, the court has to look into the nature and gravity of accusation, exact role of the accused, antecedents of the accused, possibility of the accused flee from justice, likelihood of repeating the similar offences or other offences. The Court has to evaluate the entire available materials against the accused very carefully. Further the Court has to strike balance between safeguarding the individual right and protecting the public interest. The Court has to consider the impact of the granting of bail in favour of the Petitioner on the society and the need for fair and free investigation.

15. Further the decision reported in **AIR 1980 SC 1632 (Gurubhaksha Singh Sibbia -Vs - State of Punjab and others)**, the Hon'ble Apex Court held that,

"In granting anticipatory bail liberal interpretation of Sec. 438 of the Cr.P.C. is to be done in the light of Article 21 of the Constitution of India. Any statutory provision concerned with personal liberty can not be whittled down by reading

restrictions and limitations to it. Court should not issue blanket orders and should apply its own mind. Provision of Section 438 can be invoked prior to arrest and FIR need not be filed before it is invoked.

16. In another decision reported in **AIR 2011 S.C. 312 (Siddharam Satlingappa Mehtre -Vs- State of Maharashtra & Others)**, the Hon'ble Apex Court has laid down the factors and parameters to be taken into account while dealing with the anticipatory bail petition. They are as under:

1. The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made:
2. The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence:
3. The possibility of the applicant to flee from justice;
4. The possibility of the accused's likelihood to repeat similar or other offences:
5. Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;
6. Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;
7. The courts must evaluate the entire available material against the accused very carefully. The Court must also clearly

comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of Sections 34 and 149 of the Penal Code, 1860 the court should consider with even greater care and caution because over implication in the cases is a matter of common knowledge and concern.

8. While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, viz., prejudice should be caused to the free, fair and full investigation and there should be prevention of harassment, humiliation, and unjustified detention of the accused;

9.The court to consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

10. Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail;

17. In this regard, this Court is also being guided by the decision of Hon'ble Apex Court reported in **(2016) 1 SCC 153 (Bhadresh Bipinbhai Sheth Vs- State of Gujarat and Another), Smt. Sushila Agrawal and another -Vs -State (NCT of Delhi) and another, reported in 2020 SCC Online S.C 98** wherein the factors to be taken into account while dealing with petition for anticipatory bail.

18. In the light of the above said principles, now this court has to consider the facts of the present case on the basis of the materials available on record at this stage. Admittedly on the basis of the information statement filed by Sri. Dhananjaya. S, who was the driver to the vehicle of ADLR. The Karnataka Lokayuktha police, Mangaluru registered the case in Crime No.12/2025 for the offence p/u/s.7(b), 7(c) and 12 of Prevention of Corruption Act against the accused persons as shown to FIR submitted. On going through the copy of FIR, it is clear that, case was registered only against the accused Nos.1 to 3 and name of the present Petitioner is not found as an accused. On going through the copy of documents produced on behalf of the Petitioner, it clearly appears that the Petitioner has no role as such in the matter of appointment of contract employees including the informant. In fact in the first information statement lodged, there is no specific allegation against the Petitioner herein. The only connecting link is found to be the conversation held by the informant and accused No.1. In the said conversation also as found from the records available on the file, the name of the Petitioner is not stated. Therefore, at this stage, it cannot be held that there is prima-facie case against the Petitioner herein.

19. Added to the above aspects, it is pertinent to note that, the accused Nos.1 to 3 against whom the present

case is registered are already enlarged on bail. Further the Petitioner herein is a public servant of DDLR rank and there is no chance of her absconding or flee from justice. Further the Petitioner has undertaken to abide by any conditions that may be imposed for her enlargement on bail and also undertaken to appear before this Court as well as Investigating Officer and to co-operate with the Investigating Officer for investigation. Since the Petitioner is the senior Government Servant definitely she has got deep root and respect in the society. Hence, there is no question of either her absconding or flee from justice. Further the alleged offences are not punishable with death or imprisonment for life. As already stated, the accused Nos.1 to 3 are already on bail. It clearly appears that since the Investigating Officer had issued notice to her under Section 35(3) of BNSS, the Petitioner is apprehending her arrest and implicating her in this case. Considering the facts and circumstances of the case at this stage, this Court is of the considered view that, there are no special grounds made out by the prosecution so as to reject the petition filed by the Petitioner seeking anticipatory bail.

20. Thus, considering the nature and gravity of the offence involved, possibility of the Petitioner flee from justice, commission of similar offences, reasonable apprehension of the prosecution, undertaking given by the Petitioner, this Court is of the considered view that

the Petitioner has made out the ground for granting anticipatory bail in her favour as sought for with the suitable conditions. Accordingly, Point No.1 answered in the **affirmative**.

21. **Point No.2:** For the reasons discussed in connection with Point No.1 and the findings given thereon, this court proceeds to pass the following:

ORDER

The petition filed by Petitioner under section 482 of the B.N.S.S. is hereby **allowed**.

Consequently, the respondent/police i.e. Karnataka Lokayuktha Police, Mangaluru is hereby directed to release the petitioner on bail on her executing personal bond for **Rs.50,000/-** with one surety for like sum to the satisfaction of the Investigation Officer in the event of her arrest in connection with the Crime No.12/2025 of the Karnataka Lokayuktha Police Station, Mangalore for the offences punishable under sections 7(b), 7(c) and 12 of the Prevention of Corruption Act, as amended in 2018, subject to the following conditions:-

1. The petitioner shall appear before the Investigating Officer and make herself available for interrogation by Investigating Officer as and when required without fail.
2. She 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/him from disclosing such facts to the Court or to the Investigating Officer.
3. She shall co-operate with Investigating Officer for investigation.
4. She shall not in any manner tamper or meddle with the prosecution witnesses.

If the petitioner violate any of the conditions, the bail so granted is liable to be cancelled.

(Typed on my dictation by the Stenographer Grade-I, corrected, signed and then pronounced by me in open Court on this the 20th day of June, 2026).

(Shridhar Gopalkrishna Bhat),
III Additional District & Sessions Judge,
D.K, Mangaluru.