



**IN THE COURT OF THE I ADDL. DIST & SESSIONS JUDGE,
RAMANAGARA**

PRESENT:

**Smt. M. Panchakshari, M.Com.,LL.B,
I Addl. Dist. & Sessions Judge, Ramanagara.**

Dated this the 6th day of April 2026

Crl.Misc.No.177/2026

Petitioner/

Accused No.1 : Mr.Sanjeev Kumar R. Joshi,
S/o. R.B.Joshi,
Aged 51 years,
Occup: Branch Manager,
Axis Bank,
No.204, DS Max Sundale
Apartment, 2nd floor,
Kodipalya, Kengerei,
Bangalore South-560060,
Kodi Palya Kengere-560060.

(By Sri.S.A., Advocate)

Vs.

Respondents : 1) The State of Karnataka,
by DCRE Police Station,
Ramanagara.

(By P.P., Ramanagara)

2) Smt. Manjula,
W/o.Basavaraju,
Aged 40 years,
Vijayanagar, Ward No.2,
Ramanagar Town,
Bengaluru South District.
(In person)



O R D E R

The petitioner/accused No.1 has filed this petition U/ Sec.482 of Bharatiya Nagarika Suraksha Sanhita-2023 seeking anticipatory bail with respect to Cr.No.5/2026 of Ramanagara DCRE Police Station for the offences punishable under Sec.79 R/w.3(5) of Bharatiya Nyaya Sanhita-2023 & under Secs.3(1)(r), 3(1)(s), 3(1)(w) & 3(2) (5a) of SC & ST (Prevention of Atrocities) Amendment Act-2015.

2. The petitioner by reiterating the contentions in the first information report had contended that, the petitioner had not committed any such offence as alleged in the complaint and he is innocent person. The petitioners is working as Branch Manager of Axis Bank and handles only the operations of the company and he has no control over the employment and development of the house keeping staff. The respondent police have issued notice to the petitioner U/Sec.35(3) of BNSS, 2023. The petitioner hails from respectable family and having deep roots in the society and never been convicted and charged with any offence prior to this complaint. He is ready and willing to abide by any conditions that would be imposed by this court and he also undertakes to co-operate with the investigating officer. Apprehending his arrest and pleading false implication, the petitioner has sought anticipatory bail.



Petitioner had also prayed for interim bail. On the above grounds prayed for grant of interim bail and allow the petition.

3. The Learned Public Prosecutor has filed the objections by reiterating the allegations in the first information report and contended that, there are sufficient materials to show the commission of the alleged offence by the petitioner. Since from the date of registration of the complaint the petitioner is absconding so, if at this stage if he is granted pre-arrest bail he will permanently absconding from the process of the court. As per the complaint averments the accused persons and petitioner had abused the complainant by taking the name of her caste so, it prima-facie makes out the case against the petitioner. As there is bar under Sec.18 and 18(A) of SC & ST (Prevention of Atrocities) Amendment Act, the petitioner is not entitled for pre-arrest bail and the petition is not maintainable. So, if the petitioner is released on bail, there are every chances of he tampering the prosecution witnesses and thereby hampering the investigation and creating the problem to the complainant and prosecution witnesses and also absconding from the process of the court. Hence, prayed for rejection of the bail petition.

4. Notice to the respondent No.2 having served. She appeared before the court.



5. Heard the learned counsel for the petitioner and also the learned Public Prosecutor for the State.

6. The following points arise for court consideration;

- 1) Whether the petitioner/accused No.1 had made out sufficient grounds to exercise discretion under section 482 of BNSS., to grant anticipatory bail in his favour?
- 2) What order?

7. The findings of this court on the above points are as under;

Point No.1:- In the Affirmative.

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

REASONS

8. **Point No.1**:- On going through the documents produced by the petitioners, it clearly shows that the respondent police have registered the case against the petitioner for the offence punishable under Sec.79 R/w.3(5) of Bharatiya Nyaya Sanhita-2023 & under Secs.3(1)(r), 3(1)(s), 3(1)(w) & 3(2)(5a) of SC & ST (Prevention of Atrocities) Amendment Act-2015 and the respondent police had taken up the matter for investigation.



The allegations against the petitioner is that, complainant belong to Schedule Caste Holey Community and she is working as a housekeeping in Axis Bank, Ramanagara Branch. Accused No.1 is working as Manager in the Ramanagar Branch since 2 years. Now, since 1 year at the instigation of accused No.2 who is working as Security in the Bank accused No.1 with vengeance opposed the complainant serving tea, coffee and other eatables saying that complainant belong to Holey schedule caste and started giving problem to her. It is also alleged that, she had been humiliated in front of the Bank Officials and customers by taking the name of her caste. Further alleged that, she is made to see the obscene pictures through accused No.2 by internet. She had been harassed by saying that, if she can bear all these, she can continue her work. The complainant alleges that, accused No.1 through accused No.3 had mentally harassed her by insisting her to make video call while in the washroom so, as she had not assisted accused No.1 to 3 she had now been transferred through the agency of accused No.4.

9. It is contended by the learned Public Prosecutor in the objections that, accused No.1 to 4 belong to other caste and their caste certificate is yet to be secured. Since from the date of registration of the complaint the



petitioner is absconding so, if at this stage if he is granted pre-arrest bail he will permanently abscond from the process of the court. On the other hand, Learned Public Prosecutor had also mainly contented on the ground that as the offence alleged Comes under the Provisions of SC/ST Prevention of Atrocities Act. There is bar for grant of anticipatory bail under Section 18 and Section 18A of the Act.

10. If the contention of the petitioner is taken into consideration, the petitioner who being the accused No.1 had contended in his bail petition that the de-facto complainant Smt. Manjula had made several series of allegations against the petitioner which is an act of pure retaliation because of the resource agency of the petitioner's company had transferred the complainant from the Branch of the petitioner to the different Branch. Petitioner is a Branch Manager at Axis Bank, Ramanagara and has been diligent employee and has been successfully working with the bank since more than 2 years. The recruitment of staff for housekeeping and cleaning was entrusted to an agency called Arrow Commercial Services Pvt. Ltd., and this agency is responsible for the recruiting, hiring, deploying and transferring of the workforce to the petitioner's company. Peruant to which the agency had issued an Appointment Letter to the de-facto complainant and the agency has



also issued a deployment Intimation Letter to the petitioner's company thereby deploying the complainant for the post of housekeeping staff on the contractual basis with effect from 01.01.2025 at the petitioner's company. It is the agency who had transferred the complainant to a different branch of petitioner's company i.e., she had been transferred to Bidadadi Branch in the month of February, 2026.

11. If the averments in the complaint is taken into consideration, wherein she has stated that after the petitioner got transferred to the Ramanagar Branch, complainant had worked for 1 year without any problem thereafter, at the instance of Security of the Bank by name Ravi had instigated the petitioner and protested her from serving tea, coffee and eatables to the staff of the Bank mainly for the reason that she belong to Schedule Caste. Here the important factor that has to be taken into consideration is that when the complainant had worked for 1 year during the term of the petitioner without any problem or hindrance, what made the petitioner being the Manager of the Branch to have animosity against the complainant with the instigation of the security of the bank that too for the reason that she belong to a Scheduled Caste. If at all the petitioner has any such intention of humiliating the complainant, mainly for the reason that she belong to Schedule Caste, he would have



protested she serving the food. Even at the prior period as it was the petitioner who was working in the same branch since 2 years. So at this juncture it is very pertinent to extract the very words of the complainant in her complaint which reads as follows:

"ವ್ಯವಸ್ಥಾಪಕ ಹುದ್ದೆಗೆ ವರ್ಗಾವಣೆಗೊಂಡು ಬಂದಿದ್ದು, ಆತ ಬಂದ ನಂತರ 1 ವರ್ಷಗಳ ಕಾಲ ಯಾವುದೇ ತೊಂದರೆ ಇಲ್ಲದೇ ನಾನು ಸದರಿ ಬ್ಯಾಂಕಿನಲ್ಲಿ ನನ್ನ ವೃತ್ತಿಯನ್ನು ನಿರ್ವಹಿಸಿಕೊಂಡು ಬಂದಿರುತ್ತೇನೆ."

ಬಂದು ವರ್ಷದ ಕಳೆದ ನಂತರ ಅದೇ ಬ್ಯಾಂಕಿನಲ್ಲಿ ಸೆಕ್ಯೂರಿಟಿ ಆಗಿ ಕೆಲಸ ಮಾಡುವ ರವಿ ಎಂಬುವವರ ಚಿತ್ತಾ ವಣೆ ಮೇರೆಗೆ ಸಂಜೀವ್ ಜೋಷಿರವರು ನಾನು ಹೊಲೆಯ ಜಾತಿಗೆ ಸೇರಿದ್ದೇನೆಂದು ಸದರಿ ಸಂಜೀವ್ ಜೋಷಿರವರು ಜಾತಿ ಹಗೆ ಸಾಧಿಸಿಕೊಂಡು ಬಂದು ಶಾಖೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಆತನಿಗೆ ಮತ್ತು ಇತರೆ ಸಿಬ್ಬಂದಿಗೆ ಕಾಫಿ, ಟೀ, ಇತರೆ ತಿಂಡಿ-ತಿನಿಸುಗಳನ್ನು ನೀಡುವ ಹೊಲೆಯ ಜಾತಿಗೆ ಸೇರಿದವರಿಂದ ತರಬೇಡ ಕೆಲಸಕ್ಕೆ ಮೇಲ್ವಾರ್ತಿಯವರನ್ನು ನೇಮಕ ಮಾಡಿಕೊಳ್ಳುತ್ತೇವೆ ಎಂದು ತೊಂದರೆ ಕೊಡಲು ಪ್ರಾರಂಭಿಸಿ"

12. It is argued on behalf of the petitioner that, petitioner being a Bank Manager he has nothing to do with the employment of the complainant as it is the Arrow Commercial Service Private Limited Agency who had deployed the complainant for the work as per the appointment letter dated:01.01.2025. Deputing for the work and removal from the work is all through the agency and petitioner who being the Manager has nothing to do with the employment of the complainant. Now, mainly because she had been transferred to Bidadi Branch as she is not interested to go and work at Bidadi Branch,



now a false allegation is made against the Manager of the Bank so as to falsely implicate in a case of Atrocity against the Scheduled Caste and Scheduled Tribe. There is no control over the employment and deployment of the housekeeping staff. The very functioning is completely outsourced to the agency. Now, only out of fear of being transferred the complainant had made false allegation. Why should a Bank Manager get instigated by a security guard.

13. The counsel on behalf of the petitioner had produced the copy of the mail which is generated by the agency with regard to deployment of the staff at Axis Bank. Petitioner had also produced the copy of Rotation/Transfer Letter addressed to the complainant that she having transferred to Bidadi Branch from 01.03.2023. It is also submitted that, the complainant had so far not joined the work at Bidadi Branch which clearly makes out that she is not interested to work in other Branch. So, by hook or crook to retain her in the Ramanagara Branch these false allegations are made.

14. The counsel on behalf of the petitioner had relied on below referred case laws:

1) (2020) 4 SCC 727 (Prathvi Raj Chauhan Vs. Union of India).



2) (2021) 10 SCC 773 (Satender Kumar Antil Vs. Central Bureau of Investigation).

3) Criminal Appeal No.1933/2021 (Mr.Manoj Kumar M.R. Vs. The State of Karnataka & Another).

4) (2014) 8 SCC 273 (Arnesh Kumar Vs. State of Bihar & Another).

5) Criminal Petition No.1815/2020 (Mudegowdar Girish & 7 Others Vs. The State of Karnataka & Another).

15. On the other hand, the petitioner had also relied on some of the orders passed by this court granting anticipatory bail in the offence of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act by relying on reported judgment of the Apex Court which are as follows:

1) Crl.Misc.No.1145/2025 (Sri.Kushal Gowda M.K., & 5 others Vs. The State of Karnataka & Another).

2) Crl.Misc.No.962/2025 (Smt. Madhumala P.S., & Another Vs. The State of Karnataka & Another).

In the case of **Prathvi Raj Chauhan Vs. Union of India**, the **Hon'ble Apex Court** has held as follows:

"Firstly, grant of anticipatory bail under S.438 CrPC is barred in respect of offences under the 1989 Act- However, where prima facie



case not made out, anticipatory bail can be granted in appropriate circumstances, with a cautious exercise of power-Ss.18 & 18-A of the 1989 Act have no application where prima facie case is not made out- However, for evaluating prima facie case, reappreciation of evidence is not required."

On the other hand, this court would also like to other points in the case of **Prathvi Raj Chauhan Vs. Union of India**, the **Hon'ble Apex Court** has held as follows:

"A. SCs, OBCs and Minorities - Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 - Ss.18 and 18-A - Bar under S.18 on grant of anticipatory bail under S.438 Cr.P.C., in respect of offences under the 1989 Act - Position of law obtaining after: (1) insertion of S.18-A in 1989 Act, and (2) recall of Directions 79.3 to 79.5 in *Subhash Kashinath Mahajan*, (2018) 6 SCC 454, clarified - Vires of Ss.18 and 18-A, affirmed

- Secondly, S.18-A has to be read in accordance with the law laid down in *Lalita Kumari*, (2014) 2 SCC 1 - Thus, preliminary enquiry before registration of FIR in respect of offences under the 1989 Act can only be in circumstances enumerated in *Lalita Kumari*, (2014) 2 SCC 1

- Thirdly, under exceptional circumstances and strictly in accordance with parameters laid down therefor,



quashment of proceedings under the 1989 Act can be sought under S.482 Cr.P.C., for preventing misuse of law”.

So, when the complaint does not make prima facie case for applicability of the Provisions of 1989 Act, the bar created by Section 18 and 18A(1) shall not apply. The Hon'ble Apex Court has held that the court can in exceptional cases exercise powers under Section 482 of Cr.P.C., for quashing the case to prevent misuse of provision on settled parameters.

16. The petitioner had also sought for interim bail, but the application is taken up together for consideration as the learned Public Prosecutor was on leave when this petition came to be filed so, on scheduling the matter for hearing on filing of objections both on interim bail petition as well as on the main petition matter having heard, now it is taken up together for consideration.

So, the counsel appearing for the petitioner having relied on the judgment of **Satender Kumar Antil Vs. CBI (2121) 10 SCC 773**, wherein it is held as follows:

**"B. Criminal Procedure Code, 1973-
Ss.439 and 437-Interim bail while issuing
notice to consider bail - Permissibility -
Held, while issuing notice to consider bail,
the trial court is not precluded from granting**



interim bail taking into consideration the conduct of the accused during the investigation which did not warrant arrest - However, the bail application to be ultimately considered, would be guided by the statutory provisions and the guidelines issued herein."

In the Criminal Appeal No.1933/2021, Hon'ble High Court of Karnataka by its Order dated 13.01.2022 had granted anticipatory bail, where the offence under Section 3(1)(w)(i)(ii), 3(1)(r), 3(1)(n), 3(2)(v) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act 1989, the Hon'ble High Court had allowed the appeal by setting aside the orders of LXX Additional City Civil and Session Judge and Special Judge, Bangalore and granted bail.

17. Taking into consideration the facts and circumstances in this case, whereby if the allegations in the complaint are taken into consideration that it is a bare allegations made against the accused No.1 who is in no way connected to the employment or transfer of the complainant. So, as there is no prima facie case made out against the accused No.1 who being the petitioner herein, bar under Section 18 and Section 18A cannot be made applicable with regard to accused No.1. Hence, considering this fact as petitioner No.1 being the Manager of the Bank there is no any apprehension of he absconding from the process of court as he is in the well



known recognized responsible post as a Manager of the Bank. So, in the circumstance if reasonable conditions are imposed it will meet the objections raised by the Learned Public Prosecutor. In such circumstance, I hold the above point in **Affirmative**.

18. **Point No.2**:- In view of the discussions made supra, this court proceeds to pass the following;

ORDER

The bail petition filed by the petitioner/accused No.1 under Sec.482 of BNSS is hereby allowed.

The jurisdictional police are directed to release the petitioner/accused No.1 in case of his arrest in Crime No.5/2026 of Ramanagara DCRE Police Station, on executing his personal bail bond for a sum of **Rs.50,000/- with one surety** for like-sum to the satisfaction of the Court subject to the following;

CONDITIONS

1) The petitioner/accused No.1 shall surrender before the I.O. within 15 days from the date of this order.

2) The petitioner/accused No.1 shall mark his attendance in the jurisdictional police station once in 15 days till filing of charge sheet.



3) The petitioner/accused No.1 shall appear before the court on all hearing dates without fail.

4) The petitioner/accused No.1 shall not threaten or entice the complainant and the prosecution witnesses in any manner.

5) The petitioner/accused No.1 shall not change the abode prior permission of the court.

6) The petitioner/accused No.1 shall furnish his permanent address proof.

(Dictated partly through Adalath A.I to the Stenographer Grade-III thereafter transcribed by her and after corrections, printout taken and then pronounced and signed by me in the open Court, on this the **6th day of April, 2026**).

(M. Panchakshari)
I Additional Dist. & Sessions Judge,
Ramanagara.