



**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, TUMAKURU.**

Present:

Sri B.Jayantha Kumar, B.A.LAW., LL.M.,
Prl. District & Sessions Judge,
Tumakuru.

Dated this the 14th day of July, 2026.

Crl.Misc.No.987/2026

- Petitioners/ : 1.** Priyadarshini C/o. Doddegowda, Aged
A.4 and 5 about 41 years, R/at No.27, 1st Floor, 2nd
Phase, KBL Enclave, Vijayanagara, 4th
Stage, near Corporation Bank, Mysuru –
570 017.
2. K.N. Thejeshwari D/o. Doddegowda,
Aged about 70 years, R/at No.176, 2nd
Cross, Triveni Nagar, Ward No.3,
T.Narasipur Taluk, Byarapur, Mysuru-
571 124.

(By Sri. Sharass Chandra.M., Adv.)

- V/s.-

Respondent : The State of Karnataka, by Tumakuru
Town Police, Tumakuru Town Circle,
Tumakuru District.

**(By learned Public Prosecutor,
Tumakuru)**

O R D E R

This petition is filed by the petitioners/accused Nos.4
and 5 U/Sec.438 of the Code of Criminal Procedure ('Cr.P.C.')



for short), seeking anticipatory bail apprehending their arrest in C.C.No.86/2024 (Crime No.4/2020 of Tumakuru Town P.S.), pending on the file of Principal Senior Civil Judge and C.J.M., Tumakuru, for the offences punishable U/Secs.417, 420, 468 & 471 of I.P.C.

2. In the petition, the petitioners/accused No.4 and 5 contended that they are respectable persons in the society and have not committed any offence as alleged in the F.I.R., there is delay of 7 years in lodging the complaint, petitioner No.1 is the wife of accused No.1 and petitioner No.2 is the mother-in-law of accused No.1, accused No.1 made the petitioners as directors of the society and they are unaware of the activities of the accused No.1 and also not took part in the affairs of the said society, petitioner No.1 got divorce from the accused No.1 in M.C.No.609/2015 and hence, there is no connection with the society and the petitioners, there is no specific overt act attributed against them as they are no way related to the society, the husband of petitioner No.2 is suffering from old age ailments and she is the only person to



look after him, the alleged offences are not punishable either with death or imprisonment for life, they are having movable and immovable properties and having deep roots in the society, as such, there is no chance of fleeing away from justice, they are ready to abide by the terms and conditions imposed by this court and also ready to offer substantial surety to the satisfaction of the court and prayed for granting anticipatory bail.

3. The learned Public Prosecutor opposed the petition by filing objections and contended that the materials collected so far by the I.O. during the course of investigation and the contents of the FIR and charge sheet prima-facie reveals that the petitioners have committed the alleged offences, which are serious in nature, there are no good grounds to allow this petition, the investigation is completed and the Investigation Officer has filed charge sheet against the petitioners and other accused persons and at this stage, if the anticipatory bail is granted to the petitioners/accused No.4 and 5, they may abscond, they may commit similar



offences, they may tamper the prosecution witnesses and hence, prayed for rejecting the petition.

4. Heard the arguments of learned counsel for the petitioners/accused No.4 and 5 and learned Public Prosecutor.

5. The following points arise for my determination:

1. *Whether the petitioners/accused No.4 and 5 have made out good grounds for an order of anticipatory bail?*
2. *What order?*

6. My Findings on the above points are as follows:-

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

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

REASONS

7. Point No.1:- Tumakuru Town Police have registered a case against the petitioners and other accused persons in Crime No.4/2020 for the offences punishable U/Secs.120-B, 417, 420, 468, 471 R/w. Sec.34 of I.P.C., on the basis of the complaint lodged by Vivek.S.L. S/o. Lakshmikanthaiah.S.L., resident of Sri Lakshminarasimha Krupa, 4th Main, 2nd



Cross, Jayanagar West, Tumakuru Town, on 14.01.2020 at about 7.45.p.m. and the investigating officer after completion of the investigation, filed charge sheet against the accused.

8. The case of prosecution is that the accused No.1 to 9 started bank by name Nishka Multipurpose Credit Co-operative Ltd., near Holy Child School, No.17, Manasa Layout, 3rd Cross, Kengeri Satellite Town at Bengaluru, by got registering the said bank before the Registrar of Co-operative Societies and in the name of the above said bank, the accused have collected Rs.20 lakhs from the public with an intention to cheat the public, through C.W.1 Vivek.S.L. i.e., the first informant, at K.A.S. Complex, M.G. Road, Tumakuru without obtaining any license from the District Registrar of Tumakuru District and the accused have neither issued any bonds nor returned their money to cheat the public, the accused have issued bond to C.W.2 B.P.Rajesh for Rs.18,240 and cheated the public by collecting Rs.15 lakhs from the public, C.W.3 Sheela collected Rs.10 lakhs from the public without issuing bond, cheated C.W.4 Yakub



Ali Khan by receiving 18,240/- without issuing bond, cheated C.W.5 Sharada.T.N. by receiving Rs.82,080/- by issuing bond and cheated C.W.6 – Kasthurirangan.T. by receiving Rs.45,600/- by issuing bond and like wise, the accused have collected money from public without issuing the bond and even though there is bond, the accused have not repaid the bond amount and collected about Rs.46,64,160/- from the public without obtaining any licence, in the name of Nishka Multipurpose Credit Co-operative Limited to cheat the public and committed fraud to the public and thereby the accused have committed the offences alleged.

9. The learned counsel for the petitioner/accused Nos.4 and 5 vehemently argued that they have no knowledge about the incident, they are innocents and they have not committed any offence alleged against them, they have moved this petition before this court for an order of anticipatory bail in the above case and they are ready to abide by the conditions that may be imposed by this court



and ready to furnish substantial surety to the satisfaction of this court and hence, prayed for granting anticipatory bail.

10. The learned Public Prosecutor vehemently argued that there are prima-facie material against the petitioners to show that they have committed the offences alleged against them and if the anticipatory bail is granted to the petitioners/accused Nos.4 and 5, they may abscond, they may commit similar offences and they may tamper the prosecution witnesses and hence, prayed for rejecting the petition.

11. The petitioners/accused Nos.4 and 5 have produced the copy of F.I.R. along with copy of first information, copy of charge sheet, copy of spot mahazar, copy of seizure mahazar, copy of P.F., copy of remand application, copy of medical certificate of Paniraj Gowda, copies of their Aadhaar cards along with copies of prosecution papers. The learned counsel for the petitioners have produced memo with documents by submitting petition in M.C.No.498/2012 between Smt.Priyadarshini.D. and Nil,



list of Directors of Nishka Multipurpose Credit Co-operative Society, Bengaluru and order of Hon'ble High Court of Karnataka passed in Crl. Appl. No.692/2023 dated 14.08.2023, in the case of Smt.Priyadrashini.D. Vs. The State of Karnataka by SHO, Hanumantha Nagar P.S., Bengaluru.

12. On perusal of all these documents, it is clear that the investigating officer has completed the investigation and filed charge sheet against the accused persons. Now the presence of petitioners/accused Nos.4 and 5 are not required for custodial interrogation. The allegations levelled against the petitioner/accused Nos.4 and 5 are all question of facts, which needs to be proved by the prosecution at the time of full fledged trial. The petitioners/accused Nos.4 and 5 are residents of the address as shown in the cause title of the petition and hence, there is no chance of their absconding. The apprehension of the prosecution is that if the anticipatory bail is granted to the petitioners/accused Nos.4 and 5, they may abscond, they may commit similar offences,



they may hamper the investigation and tamper the prosecution witnesses. The aforesaid apprehensions of the prosecution can be overcome by imposing certain conditions and hence, this is a fit case to grant anticipatory bail and accordingly, I answer **point No.1** in the '**Affirmative**'.

13. Point No.2:- In view of my findings on point No.1, I proceed to pass the following:

ORDER

The petition filed by the petitioners/accused Nos.4 and 5 U/Sec.438 of Cr.P.C., is hereby **allowed**.

The petitioners/accused Nos.4 and 5 are ordered to be released on bail on executing personal bonds for Rs.50,000/- each with one surety for the like-sum in the event of their arrest in C.C.No.86/2024 (Crime No.4/2020 of Tumakuru Town P.S.), pending on the file of Senior Civil Judge and C.J.M., Tumakuru, for the offences punishable U/Secs.417, 420, 468, 471 R/w. Sec.149 of IPC subject to the following conditions;



1. The petitioners/accused Nos.4 and 5 shall attend the concerned Magistrate Court regularly on all hearing dates and shall not threaten the prosecution witnesses.
2. The petitioners/accused Nos.4 and 5 shall not involve in similar offences.
3. The petitioner/accused Nos.4 and 5 shall furnish their address proof and I.D. proof while furnishing surety.

*(Dictated to the Stenographer directly on computer and revised. Script corrected, signed and then pronounced by me in the open Court on the **14th day of July, 2026**).*

(B. Jayantha Kumar)

Prl. District and Sessions Judge,
Tumakuru.