



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 318 OF 2026

BETWEEN:

AJMAL M. V.
S/O ASHRAF M V
AGED ABOUT 28 YEARS,
MEENAT VALAPPIL
PAVITTAPURAM, OTHALUR,
ALANKODE VILLAGE, NANNAMUKKU,
OTHALUR WEST, MALAPPURAM
KERALA - 679 591.

...PETITIONER

(BY SRI. MUHAMMAD IRSHAD M.H, ADVOCATE)

AND:

STATE OF KARNATAKA
REP. BY MANDYA EAST POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. ANOOP KUMAR, HCGP)

THIS CRL.P IS FILED U/S 482 OF CR.P.C (U/S 528 BNSS)
PRAYING TO 1. MODIFY THE ORDER (ANNEXURE-A) DTD
29.10.2025 PASSED BY THE LEARNED PRL. SESSIONS AND
SPECIAL JUDGE, MANDYA, BY SETTING ASIDE/WAIVING





CONDITION, WHICH REQUIRES THE PETITIONER TO FURNISH A BANK GUARANTEE FOR RS.4,00,000/- IN CR.NO.47/2025 REGISTERED BY MANDYA EAST P.S.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioner is before the Court seeking the following prayer:

1. *Modify the Order (Annexure A) dated 29.10.2025 passed by the Learned Prl. Sessions & Special Judge, Mandya, by setting aside/waiving Condition, which requires the Petitioner to furnish a Bank Guarantee for Rs.4,00,000/- in Crime Number 47/2025 registered at Mandya East Police station.*
2. *Permit the release of the vehicle KL-60-K-7788 upon the execution of a Personal Bond for the satisfaction of the Trial Court.*
3. *Pass such other orders as this Hon'ble Court deems fit in the interest of justice and equity.*

2. The petitioner is not an accused but in Crime No. 47/2025, the vehicle of the petitioner comes to be seized. Petitioner files an application under Sections 451 and 457 of Code of Criminal Procedure, 1973 before the



concerned Court seeking release of the vehicle. The concerned Court directs release of the vehicle, but virtually stalls it by directing furnishing of Bank Guarantee.

3. The Apex Court in plethora of cases has directed that furnishing of Bank Guarantee would be more onerous than the order of release of the vehicle itself.

4. In that light, the following:

ORDER

- (i) The **Criminal* Petition is ***disposed of***.
- (ii) The said condition of furnishing of Bank Guarantee stands quashed.
- (iii) All other conditions would stand intact.
- (iv) The petitioner shall furnish indemnity *in lieu* of the aforesaid Bank Guarantee.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

BVK; List No.: 2 Sl No.: 80

*Corrected vide chamber order dated: 17.06.2026