



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 1762 OF 2026

(438(Cr.PC) / 482(BNSS))

BETWEEN:

RAMESHA

S/O LATE VENKATAPPA

AGED 57 YEARS

R/A NO. 3343 7TH CROSS,

BHOVI COLONY,

NEAR SRINIVASA TEMPLE,

MANDYA DISTRICT – 571 401

...PETITIONER

(BY SRI. SUDHA D.,ADVOCATE)

AND:

STATE OF KARNATAKA

REPRESENTED BY

INSPECTOR OF EXCISE

MANDYA RANGE

Digitally
signed by
PAVITHRA
N



Location:
High
Court of
Karnataka



MANDYA – 571 401
BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001

...RESPONDENT

(BY Ms. ASMA KOUSER., ADDL. SPP)

THIS CRL.P FILED U/S.438 (FILED U/S.482 BNSS) CR.P.C
BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS
HONOURABLE COURT MAY BE PLEASED TO ALLOW THIS
PETITION AND GRANT AN ORDER OF ANTICIPATORY BAIL
DIRECTING THE RESPONDENT TO RELEASE THE PETITIONER
ON BAIL IN THE EVENT OF HIS ARREST IN CONNECTION WITH
CRIME NO.49/2024-25/2504IE/250404 REGISTERED BY THE
RESPONDENT AND AS REPORTED TO THE PRINCIPAL CIVIL
JUDGE AND JMFC, MANDYA TO MEET THE ENDS OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL ORDER

1. This criminal petition is filed by the petitioner seeking anticipatory bail in Crime No.49/2024-25 filed by the respondent-Police for the offences punishable under Section 11, 13(1)(f), 14, 15, 32(1), 37, 38(A) and 43 of Karnataka Excise Act, 1965.

Factual matrix of the case:

2. The case of the prosecution is that on the directions of the Joint Commissioner of Excise, Mysore Division, Mysore and also on instruction of Deputy Commissioner of Excise the informant on 15.12.2024 around 06.30 a.m. along with his staff had conducted raid on Kamadhenu Comforts (boarding and lodging) situated on the Bangalore-Mysore Highway, Mandya. The complainant found that tetra packets and sachets of various types of liquors were found in Room No.107 and 110 at the first floor of the said lodge. The said liquor was seized as per the statement of said Nagaraju. The illicit



liquor was being prepared with the help of the present petitioner and others. It is further stated in the complaint that the present petitioner is the owner of the said lodge. Therefore, a complaint came to be registered against the petitioner and others. The respondent – Police registered a case, conducted investigation and submitted the charge-sheet.

3. Heard Sri. G.K. Bhat, learned counsel appearing for Smt. Sudha D., learned counsel for the petitioner and Smt. Asma Kouser, learned Additional Special Public Prosecutor for respondent.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the said lodge. However, the Manager was taking care of the affairs of the said lodge. The petitioner was not aware about the illicit liquor stored in Room No.107 and 110. The petitioner has been deliberately and intentionally implicated in a false case in order to harass him. It is further submitted that the



petitioner is a permanent resident of Bhovi Colony, Mandya District. He would abide by the conditions to be imposed by this Court in the event of his release on bail. Making such submissions learned counsel for the petitioner prays to allow the petition.

5. Per Contra, the learned Additional Special Public Prosecutor for respondent – State of Karnataka vehemently submitted that the quantity of illicit liquor has been seized from the lodge which belongs to the petitioner. Petitioner in furtherance of common intention with other accused was selling illicit liquor to the customers without having valid license or permit. Therefore, it is not appropriate to grant anticipatory bail as the petitioner is required for the custodial interrogation. Making such submissions learned Additional Special Public Prosecutor for respondent – State of Karnataka prays to reject the petition.



6. Heard learned counsel for the respective parties and perused the averments of the complaint and F.I.R, which would indicate that the petitioner is the owner of the lodge namely Kamadhenu Comforts (boarding and lodging) situated on the Bangalore-Mysore Highway, Mandya. The petitioner had approached Co-Ordinate Bench of this Court by way of filing the writ petition seeking quashing of the proceedings filed against him, the said petition has been rejected stating that the investigation is under progress. No-doubt, the respondent – Police have recovered 385 sachets of Amruth Silver Cup brandy, 9.820 liters of various illicit liquor brands, 38 liters of blend, and 490 liters of spirit along with machinery and materials used for manufacturing. Whether the petitioner had a personal knowledge regarding the said aspect or not is a matter of trial. However, the alleged offences are neither punishable with death nor imprisonment for life. The offences are triable by the Magistrate. Hence, it is



appropriate grant bail by imposing suitable conditions that would take care of the apprehension of the prosecution.

7. Hence, I proceed to pass the following:

ORDER

- i. This Criminal Petition is ***allowed.***
- ii. The petitioner is ordered to be enlarged on bail in the event of his arrest in Crime No. 49/2024-25 filed by the respondent-Police for the offences punishable under Section 11, 13(1)(f), 14, 15, 32(1), 37, 38(A) and 43 of Karnataka Excise Act, 1965, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one (01) surety for the like sum of the satisfaction of the investigating officer.
- iii. The petitioner shall appear before the jurisdictional Police within a period of one (01) month from the date or receipt of this



order to execute personal bond and also to furnish surety.

- iv. The petitioner shall co-operate with investigation till filing of the charge sheet.
- v. The petitioner shall not threaten or tamper the prosecution witnesses nor hamper with the proceedings of the Court.
- vi. The petitioner shall appear before the Trial Court on all hearing dates, without fail.
- vii. The petitioner shall not commit any criminal cases till disposal of the case.

In case, the petitioner violates any of the bail conditions mentioned above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

**Sd/-
(S RACHAIAH)
JUDGE**

NM