



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

CRIMINAL PETITION NO. 1277 OF 2019

BETWEEN:

1. SRI. RAMANNA
S/O SRI. VEERANNA
AGED ABOUT 50 YEARS,
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130
2. SRI. NAGARAJU
S/O SRI VEERANNA
AGED ABOUT 45 YEARS
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130
3. SRI. BADRA
S/O SRI. VEERANNA
AGED ABOUT 47 YEARS
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130
4. SRI. RAJU
S/O SRI. RAMANNA
AGED ABOUT 32 YEARS
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130

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OF
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5. SMT. GOWRAMMA
W/O SRI. RAMANNA
AGED ABOUT 48 YEARS,
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130

6. SMT. SAROJAMMA
W/O SRI. BHADRA
AGED ABOUT 40 YEARS,
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130

...PETITIONERS

(BY SRI. NAGENDRA KUMAR K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
HULIYURDURGA POLICE STATION,
KUNIGAL TALUK
TUMKUR DISTRICT-572130
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU-560001

2. SMT. SHYLAJA
W/O SRI. MAHALINGEGOWDA
AGED ABOUT 30 YEARS,
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130

3. SMT. ANUSUYAMMA
W/O SRI. SRIKANTAIAH
AGED ABOUT 36 YEARS,
R/AT HOSURU VILLAGE,
KASABA HOBLI,
KUNIGAL TALUK,
TUMKUR DISTRICT-572130

...RESPONDENTS



(BY SRI. MOHD. AYUB ALI, ADDL. STATE PUBLIC PROSECUTOR FOR RESPONDENT NO.1;

SRI. CHANDRASHEKAR N., ADVOCATE FOR SRI. BHARGAV G.,
ADVOCATE FOR RESPONDENT NOS.2 AND 3)

THIS CRL.P IS FILED UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, 1973 PRAYING TO QUASH THE PROCEEDINGS IN C.C.NO.72/2018 REGISTERED BY THE HULIYURDURGA POLICE STATION OFFENCE ALLEGED UNDER SECTION 323, 504, 354, 447 AND 149 OF IPC, PENDING BEFORE THE SENIOR CIVIL JUDGE AND J.M.F.C., AT KUNIGAL, TUMKUR.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioners have challenged the prosecution launched against them by respondent No.1 in C.C No.72/2018 for offences punishable under Sections 324, 506, 149, 354, 504, 323 of IPC pending trial before the Senior Civil Judge and JMFC at Kunigal.

2.(i). The respondent No.2 informed the respondent No.1 on 15.09.2018 at 04.00 p.m., that, on 14.09.2018 at 03.45 p.m., the petitioners were cultivating the land owned by respondent No.2 and that the same was informed to her by one



Jayamma. The respondent No.2 and her mother-in-law went near the land and found that the petitioners were cultivating the land using tractors. When she questioned them, the petitioner No.1 held her mother-in-law by her hair and dragged her around. Later, he assaulted her with a sickle on her chest and hands causing bleeding injuries. The petitioner No.2 also assaulted her mother-in-law and she fell down while petitioner No.3 stomped her. When respondent No.2 tried to intervene, she was held by petitioner No.3 and he tried to outrage her modesty by tearing off her clothes.

(ii). Based on such information, the respondent No.1 registered Crime No.185/2018 for the offences punishable under Sections 323, 504, 354, 447 read with Section 149 of IPC and took up investigation. After drawing relevant mahazars and recording the statements of relevant witnesses, a charge sheet was filed for the offences punishable under Sections 324, 506, 149, 354, 504, 323 of IPC.

(iii). The trial Court after perusing the material placed along with the charge sheet took cognizance of the offences and ordered to register a criminal case. Accordingly, C.C



No.72/2018 was registered for the aforesaid offences and process was issued to the petitioners. Being aggrieved by the criminal prosecution launched against them, the petitioners are before this Court.

3. The learned counsel for the petitioners contended that the petitioners had filed O.S No.352/2017 against the mother-in-law of the respondent No.2 and others for perpetual injunction and that an application filed for interim injunction was allowed by the trial Court in terms of an order dated 25.07.2018. He also contends that an application-I.A No.3 in O.S No.352/2017 was filed seeking police help to implement the order of interim injunction and that the same was also allowed on 18.01.2019. He submits that the respondents as a counter blast to the order passed by the trial Court granting police protection, have filed the false complaint against the petitioners. He therefore submits that this is a clear case of abuse of the process of law and the same warrants interference at the hands of this Court.

4. Per contra, the learned counsel for respondents No.2 and 3 submitted that the petitioners had assaulted the



respondent No.3 and had also outraged the modesty of the respondent No.2 and therefore, the respondent No.1 was justified in filing a charge sheet for the aforementioned offences. He therefore submits that no interference is warranted with the proceedings initiated against the petitioners.

5. The learned Additional State Public Prosecutor for respondent No.1 reiterated the above submissions and submitted that the contentions urged by the petitioners are a matter to be established after a trial and not in a petition under Section 482 of Cr.P.C.

6. I have considered the submissions of the learned counsel for the petitioners, learned Additional State Public Prosecutor for respondent No.1 and the learned counsel for respondents No.2 and 3.

7. The petitioners No.1, 2 and 3 are brothers while petitioners No.4 and 5 are the son and wife of the petitioner No.1 and petitioner No. 6 is the wife of the petitioner No. 3.



8. It appears from the records placed along with the criminal petition that a civil suit is filed by the petitioner No.1 against respondent No.3, her husband and other family members and that the trial Court after considering the application filed by the petitioner No.1 for interim injunction, had allowed the same in terms of an order dated 25.07.2018. It also appears that an application was filed by the petitioner No.1 seeking for police help to implement the order of interim injunction and that the said application was also allowed in terms of an order dated 18.01.2019.

9. The information furnished by the respondent No.2 to respondent No.1 was on 15.09.2018 which is long after the order of injunction was granted by the Court in O.S No.352/2017. It is therefore more than apparent that the parties are litigating over a property that is the subject matter of a civil suit. Hence, the respondent No.2 could not have given a criminal colour to a civil dispute. Even otherwise, if the wound certificate of the respondent No.3 is perused, it shows that she was assaulted on 14.09.2018 with hands and not with a sickle as claimed in the complaint dated 14.09.2018. This apart, the alleged incident happened on 14.09.2018 at 03.45 p.m., while



the information was furnished by the respondent No.2 to the respondent No.1 on 15.09.2018 at 04.00 p.m., and the delay for lodging such a belated complaint is also not explained.

10. In that view of the matter, this Court is of the opinion that the respondent No.2 has abused the process of law by informing the respondent No.1 about commission of offences punishable under Sections 323, 504, 354, 447 read with 149 of IPC in an apparent bid to negate the effect of an order of injunction granted in O.S No.352/2017.

11. Consequently, the petition is ***allowed***. The prosecution of the petitioners in C.C No.72/2018 pending trial before the Senior Civil Judge and JMFC at Kunigal registered by the respondent No.1 police for offences punishable under Sections 324, 506, 149, 354, 504, 323 of IPC, is quashed.

**Sd/-
(R. NATARAJ)
JUDGE**