



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 5125 OF 2026

BETWEEN:

SRI BASAVARAJU CHAVALI,
S/O MAHADEV,
AGED ABOUT 34 YEARS,
BESCOM LINEMEM
R/O I D HALLI VILLAGE,
MADHUGIRI TALUK,
TUMAKURU-574 123.

...PETITIONER

(BY SRI BASAVARAJU B, ADVOCATE)

AND:

STATE BY LOKAYUKTHA POLICE STATION,
TUMKUR,
REP. BY SPP,
HIGH COURT OF KARNATAKA,
BENGALURU - 560001.

...RESPONDENT

(BY SRI LETHIF B, ADVOCATE)

THIS CRIMINAL PETITION IS FILED U/S 438 CR.PC (FILED U/S 482 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ALLOW THIS APPLICATION AND DIRECT THE RESPONDENT POLICE THAT THESE PETITIONERS BE RELEASED ON BAIL IN THE EVENT OF HIS ARREST IN CRIME NO.14/2022 OF LOKAYUKTHA POLICE STATION VII ADDL.DISTRICT AND SESSIONS JUDGE TUMAKURU FOR AN OFFENCES P/U/S 7(b) OF PC ACT 2018 ON SUCH TERMS AND CONDITIONS AS DEEMED FIT AND ETC.





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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Learned counsel for the petitioner after arguing the matter for some time submits that during the course of investigation, accused Nos.1 and 2 were not arrested and after the charge sheet was filed, for the reason that the petitioner who is arrayed as accused No.1 in the charge sheet had not appeared before the Trial Court inspite of service of summons, non-bailable warrant has been issued against him. He submits that this Criminal Petition may be dismissed with liberty to the petitioner to appear before the Trial Court and file necessary application seeking to recall the non-bailable warrant and also serving regular bail. He submits that the petitioner has no criminal antecedents and he is working as Lineman in BESCO at Madhugiri. Learned counsel submits that under the said circumstance, the Trial Court may be directed to consider the applications of the petitioner and dispose of the same on merits on the very same day.



2. *Per contra*, learned counsel appearing for the respondent submits that petitioner may be directed to serve an advance copy on the respondent before filing the application before the Trial Court as aforesaid.

3. Submission made on both sides are placed on record.

4. Accordingly, the Criminal Petition is ***dismissed as not pressed*** with liberty to the petitioner to appear before the Trial Court and file appropriate application/applications as aforesaid after serving an advance copy on the respondent.

5. If such application/applications is/are filed, the same shall be considered on merits and disposed off by the Trial Court on the same day.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

GVP
List No.: 1 Sl No.: 49