



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 27TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.100260 OF 2026
(438 OF Cr.PC/482 OF BNSS)

BETWEEN:

DUGGAPPA S/O. GANESH HONGAL,
AGE: 55 YEARS, OCC: BUSINESS,
R/O. MARUTI NAGAR, TQ. RANEBENNUR,
DIST. HAVERI-581115.

...PETITIONER

(BY MISS. VINAYA KUPPELUR, ADV. FOR
SRI. NAGANGOUDA R. KUPPELUR, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
BY ITS RANEBENNUR TOWN POLICE STATION,
TQ. RANEBENNUR, DIST. HAVERI,
(REP. BY ADDL. STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA, DHARWAD BENCH).

...RESPONDENT

(BY SRI ABHISHEK MALIPATIL, HCGP)

THIS CRIMINAL PETITION IS FILED U/S.482 OF BHARATIYA NAGARIKA SURAKSHA SANHITA, 2023, PRAYING TO GRANT ANTICIPATORY BAIL TO THE PETITIONER WHO IS THE ACCUSED NO.2 IN CRIME NO.04/2026 IN RANEBENNUR TOWN POLICE STATION FOR THE ALLEGED OFFENCES U/S.318(4), 316(5) OF BNS, 2023 AND ALSO U/S.105 OF KARNATAKA CO-OPERATIVE SOCIETIES ACT, 1959 AND ALSO U/S.76 OF CHITS FUND ACT, 1982, IN THE INTEREST OF JUSTICE AND EQUITY."

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



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973¹ / Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023², seeking to enlarge the petitioner/accused No.2 on anticipatory bail with the following prayer:

"WHEREFORE, it is most humbly prayed that this Hon'ble Court may be pleased to grant anticipatory bail to the petitioner who is the accused No.2 in Crime No.4/2026 in Ranebennur Town Police station for the alleged offences U/Sec.318(4), 316(5) of BNS, 2023 and also U/Sec.105 of Karnataka Co-operative Societies Act, 1959 and also U/Sec.76 of Chits Fund Act, 1982, in the interest of justice and equity."

2. It is the brief case of the prosecution that accused No.2 is one of the directors of Shri. Saleshwara Patta Jyoti Credit Souhardha Sahakari Sangha Niyamita and the said Society had obtained amounts as fixed deposits and when the customers asked their amounts for withdrawal, but failed to repay the

¹ Hereinafter referred to as the 'Cr.P.C.'

² Hereinafter referred to as the 'BNSS, 2023'



deposit amounts. Thus, the Society has received a total sum of Rs.2,64,95,902/- from the customers. Therefore, with these allegations a complaint is lodged. Thus the petitioner/accused No.2 is foisted with the offences as above stated.

3. Heard the arguments of Sri. Nagangouda R. Kuppelur, learned counsel for the petitioner/accused No.2 and Sri. Abhishekh Malipatil, learned HCGP, for the respondent-State and perused the material made available before the Court.

4. Learned counsel for the petitioner/accused No.2 submitted that there is no specific accusation against the petitioner in the complaint. Just because the petitioner is one the Directors of the Society, he has been arrayed as accused No.2. It is further submitted that the entire investigation is primarily based on documentary evidence. Therefore, prays for grant of anticipatory bail.

5. Learned HCGP vehemently opposes the grant of anticipatory bail to the petitioner and prays for rejection of the petition.



6. Upon perusal of the complaint, it is noted that though the petitioner/accused No.2 is one of the Directors of the said Society, but there is no specific accusation made against the petitioner. The case of prosecution is that the Society had received amounts as fixed deposits, but failed to repay the same and thus cheated and committed criminal breach of trust, for which the maximum punishment prescribed is imprisonment upto 10 years. Substantial part of the investigation can be conducted through documents. Therefore, without expressing any opinion on the merits of the case, this Court is of the opinion that the petitioner is entitled to the benefit of anticipatory bail.

7. Hence, I proceed to pass the following:

ORDER

- a) The petition is ***allowed***.
- b) The petitioner/accused No.2 is enlarged on bail in the event of his arrest in Crime No.4/2026 of Ranebennur Town Police Station, registered for the offence punishable under Sections 318(4) and 316(5) of the Bharatiya Nyaya Sanhita, 2023, Section 105 of the Karnataka Co-operative Societies Act, 1959, and Section 76 of Chits Funds Act, 1982, pending on the



file of Additional Civil Judge (Sr.Dn) and CJM Court,
Ranebennur, subject to the following conditions.

- a. The petitioner/accused No.2 shall appear before the trial Court and shall seek for bail within ten days from the date of receipt of a copy of this order.
- b. The petitioner/accused No.2 shall execute a personal bond for a sum of Rs.1,00,000/- along with one surety for the like sum to the satisfaction of the Trial Court.
- c. The petitioner/accused No.2 shall not indulge in the same offence or any other criminal cases, till completion of the trial.
- d. The petitioner/accused No.2 shall not leave the jurisdiction of the Trial Court without prior permission of the Court.
- e. The petitioner/accused No.2 shall not tamper and threaten the prosecution witnesses in any manner.
- f. The petitioner/accused No.2 shall mark his attendance before the concerned police station on every Saturday between



11.00 a.m. to 02.00 p.m till filing final report.

- g. The petitioner/accused No.2 shall attend the Court regularly during the trial without fail. If not attend for consecutive two times, it entails cancellation of bail.
- h. Violation of any one of the conditions would entail the prosecution to seek for cancellation of bail.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE