

NC: 2025:KHC:32351 WP No. 22597 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU DATED THIS THE 20TH DAY OF AUGUST, 2025 BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM WRIT PETITION NO. 22597 OF 2025 (GM-RES)

BETWEEN:

T. MANJUNATHA S/O LATE THYAGARAJ, AGED ABOUT 30 YEARS, R/AT NO. 15TH CROSS, VIJAYANAGAR, BANGALORE - 560 040.

...PETITIONER

(BY SRI. GIRISH M V., ADVOCATE FOR SRI. SHIVU L V., ADVOCATE)

AND:

- 1. STATE OF KARNATAKA
 BY K. R. PURAM POLICE STATION,
 REPRESENTED BY
 STATE PUBLIC PROSECUTOR,
 HIGH COURT BUILDINGS,
 BANGALORE 560 001.
- KRUTHIKA V D/O VENKATESH, AGED ABOUT 24 YEARS, TALUK OFFICE, BANGALORE EAST TALUK, K R PURAM, BANGALORE CITY - 560 036.

...RESPONDENTS

(BY SRI. RAHUL RAI, HCGP FOR R1)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH / SET ASIDE



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THE ORDER DATED 14/05/2025 PASSED ΙN C.C.NO.24426/2023 (CRIME.NO.129/2019) BY THE 29 ADDL. C.J.M MAYOHALL BANGALORE ON APPLICATION FILED BY THE PETITIONER UNDER SECTION 239 OF CR.P.C FOR DISCHARGE OF THE PETITIONER FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 419, 509 OF IPC AND 66D OF INFORMATION TECHNOLOGY ACT. (ANNEXURE-A) AND CONSEQUENTLY ALLOW THE APPLICATION FILED BY THE PETITIONER UNDER SECTION 239 OF CR.P.C AND DISCHARGE THE PETITIONER FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 419, 509 OF IPC AND 66D OF INFORMATION TECHNOLOGY ACT.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

This writ petition is filed by the petitioner-accused feeling aggrieved by the order dated 14.05.2025 passed by the Trial Court on the discharging application filed under Section 239 of Cr.P.C, wherein the Trial Court has dismissed the said application.

- 2. The Office has raised objection in regard to maintainability of the petition under Section 482 of Cr.P.C.
- 3. On examination of the impugned order, this Court finds merit in the office objection regarding the maintainability of the present writ petition, inasmuch as

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the petitioner has an efficacious alternative remedy of

filing a revision under Section 397 of the Code of Criminal

Procedure.

In view of the same, the writ petition stands

dismissed as not maintainable, reserving liberty to the

petitioner-accused to avail the remedy of revision under

Section 397 Cr.P.C. If such revision petition is filed within

a period of two weeks from the date of receipt of a

certified copy of this order, the period spent in prosecuting

the present writ petition before this Court shall be

excluded for the purpose of limitation, by extending the

benefit under Section 14 of the Limitation Act.

The Registry is directed to forthwith return all

certified copies to the petitioner, after retaining

photocopies for the record.

SD/-(SACHIN SHANKAR MAGADUM) JUDGE

List No.: 1 SI No.: 31