



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 14238 OF 2024

BETWEEN:

1. DR. T.P. LATHAMANI,
D/O LATE T.P. PUTTASWAMY,
AGED ABOUT 54 YEARS,
RESIDING AT NO.80, 3RD CROSS,
SATHNOOR ROAD, SHRESTA HOSPITAL,
CHANNAPATNA TOWN,
RAMANAGARA DISTRICT.
2. DR. AMBUJAKSHI T.P,
D/O LATE T.P. PUTTASWAMY,
AGED ABOUT 58 YEARS,
RESIDING AT NO.46, 1ST CROSS,
VIVEKANANDA ROAD,
BEHIND DENTAL COLLEGE,
VIDYA NAGAR, HASSAN - 573 202.
3. DR. DINESH KUMAR T.P,
S/O LATE T.P. PUTTASWAMY,
AGED ABOUT 47 YEARS,
RESIDING AT NO.701, "BEGONIA" BLOCK,
SANKALP CENTRAL PARK,
NEAR JAVA FACTORY, YADAVGIRI,
MYSORE - 570 020.

...PETITIONERS

(BY SRI. DILIP KUMAR, ADVOCATE)





AND:

STATE OF KARNATAKA BY SHO,
CHANNAPATNA RURAL POLICE STATION,
RAMANAGARA DISTRICT,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI. VINAY MAHADEVAIAH, HCGP)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS)
CR.P.C PRAYING TO DIRECT THE CONCERNED POLICE OF
CHANNAPATNA RURAL POLICE STATION, TO ENLARGE THE
PETITIONER ON ANTICIPATORY BAIL IN CRIME NO.223/2024
OF CHANNAPATNA RURAL POLICE STATION FOR OFFENCE
P/US/ 420, 406, 504, 506, 34 OF IPC AND PENDING ON THE
FILE OF THE HONBLE PRINCIPAL CIVIL JUDGE AND JMFC
COURT, CHANNAPATNA.

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

CORAM: HON'BLE MR JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

This petition is filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') read with
Section 438 of Code of Criminal Procedure.



2. The petitioners submit that there was a transaction between the complainant and the petitioners which was purely a civil transaction. It is stated that a complaint is lodged against the petitioners giving a colour of criminal offence, though there was no reason and occasion for filing such a complaint. On apprehension of arrest, an application is filed under Section 482 of BNSS seeking anticipatory bail. The said application came to be rejected by the learned Sessions Judge in terms of the order dated 16.12.2024 in Crl.Misc.No.1025/2024.

3. Learned counsel for the petitioners submits that there is a threat of arrest and the learned Sessions Judge committed an error in dismissing the petition on the premise that there is no threat of arrest.

4. This Court has considered the contents of the complaint dated 22.11.2024.

5. The complainant in the complaint states that the accused named in the complaint induced the complainant to pay Rs.1 crore with an assurance that the complainant would



be made the partner of a hospital. It is further stated that Rs.5 lakh is transferred to the account of petitioner No.1 on 27.02.2023 and on 19.05.2023 Rs.5 lakhs is transferred and on 20.07.2023 Rs.90 lakhs is transferred. The complainant alleges that the accused did not induct the complainant as a partner and thereby defrauded the complainant. It is also alleged that the accused induced the complainant with an intention to cheat the complainant and make unlawful gain for themselves.

6. The contents of the complaint would reveal that there was some sort of business/money transaction between the complainant and the accused. And amount is said to have been transferred to the account of accused No.1. Accused Nos.2 and 3 are the siblings of accused No.1.

7. On going through the contents of the complaint, this Court is of the view that custodial interrogation is not required in a case of this nature. The transaction of transfer of money is well documented if the contents of the complaint



are true. It is not possible to erase the records relating to alleged transaction.

8. Hence, this Court is of the view that the petitioners are entitled to anticipatory bail. Accordingly, the following:

ORDER

- i) Criminal Petition is ***allowed***.
- ii) The respondent - Police or any other Police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.223/2024 registered by Channapatna Rural Police Station, Ramanagara district, for the offences punishable under Sections 420, 406, 504, 506 read with Section 34 of the IPC, subject to the following conditions:

1. Petitioners shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each, with two sureties for the likesum to the satisfaction of the investigating officer.



2. Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.
3. Petitioners shall not tamper with the prosecution witness and they shall co-operate with the Police for investigation and appear before them whenever called upon.
4. Petitioners shall not involve in similar offences in future.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

RD
CT: BHK