

# State By Central Crime Branch (F And M ... vs S.Pratap S/O Somaiah on 23 January, 2017

IN THE COURT OF THE I ADDL.C.M.M, Bengaluru

Present: Smt. Hema Pastapur  
B.A.,LL.B.,  
I Addl. C. M. M, Bengaluru

C.C.No.32191/2011

Dated this the 23rd day of January 2017

Judgment under section 355 of the Code of Criminal Procedure

Complainant:- State by Central Crime Branch (F and M Squad),  
N.T. Pet, Bengaluru.

(By Learned Senior Assistant Public Prosecutor)

VS

Accused:- 1. S.Pratap s/o Somaiah, age:37 years,  
r/o No.632, 3rd Block, 9th cross,  
HMT Layout, Bengaluru 560073  
(By Shri N.S.R, Advocate)

(Accused no.2 to 11-charge sheet has not been filed)

Offences complained : U/secs 5, 37 and 39 of the Karnataka

Money Lenders Act, 1961 and u/secs 3 and 4

of the Karnataka Prohibition of Charging

Exorbitant Interest Act, 2004.

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C.C.No.32191/2011

Opinion of the Court : Accused no.1 is not found guilty

Date of Judgment : 23-01-2017.

## JUDGMENT

That, the Police Inspector of Central Crime Branch (F and M Squad), N.T. Pet, Bengaluru, has filed the Final report against the accused no.1 for the offence punishable under sections 5, 37 and 39 of

the Karnataka Money Lenders Act, 1961 and under sections 3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act, 2004.

1. That, the allegation of the prosecution is that the accused no.1 without having any valid licence is doing the money lending business in the name and style of Sai associates, situated at no.52, 6th main, 3rd phase, Peenya Industrial Estate, Bengaluru. It is further allegation of the prosecution that, the accused no.1 uses to lend the money to the public by imposing an exorbitant interest and as a security he uses to take from them the blank cheques, promissory notes, stamp papers etc.

2. That, on complaint being lodged the Rajagopalnagar Police, Bengaluru, have registered the case and thereafter, the matter was transferred to Central Crime Branch (F and M Squad), N. T. Pet, Bengaluru, for investigation and the Investigating Officer after completion of investigation filed the Final report against the accused no.1 for aforesaid offences.

3. That, this court after taking the cognizance of the aforesaid offences issued summons to the accused and in pursuance of the said summons the accused no.1 has appeared before this court through his Learned counsel and he was enlarged on bail. That, the provisions of section 207 of Code of Criminal Procedure, have complied here with. That, the charge of the accused no.1 has recorded and read over to him in language known to him and he has not pleaded guilty and claimed to be tried. That, after completion of prosecution side evidence, the statement of the accused no.1 as contemplated under section 313 of Code of Criminal Procedure, has recorded and read over to him in language known to him and he denied all incriminating evidence appearing against him and not chosen to lead either oral or documentary evidence on his behalf.

4. That, I have heard the arguments and perused the materials placed on record. That, the following points arise for My consideration and determination:-

1. Whether the prosecution has proved beyond all reasonable doubt that, the accused no.1 without having any valid licence is doing the money lending business in the name and style of Sai Associates, situated at no.52, 6th main, 3rd phase, Peenya Industrial Estate, Bengaluru and thereby has committed the offence punishable under sections 5, 37 and 39 of the Karnataka Money Lenders Act, 1961 ?

2. Whether the prosecution has further proved beyond all reasonable doubt that, the accused no.1 uses to lend the money to the public by imposing an exorbitant interest and thereby has committed the offence punishable under sections 3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act, 2004?

3. What order?

5. That, the prosecution to prove its above case has got examined PWs1 to 15 and got marked the documents at EXsP1 to 232 and also got marked MOs1 to 6 and closed its side.

6. That, My answer to the aforesaid points are as under:-

Point No.1:- In the NEGATIVE Point No.2:- In the NEGATIVE Point No.3: As per the final order for the following:-

## REASONS

7. Points No.1 and 2:- That, as these two points are interlinked, I have taken them for joint discussion to avoid repetition of facts.

It is specific allegation of the prosecution that, the accused no.1 without having any valid licence is doing the money lending business in the name and style of Sai associates, situated at no.52, 6th main, 3rd phase, Peenya Industrial Estate, Bengaluru. It is further allegation of the prosecution that, the accused no.1 uses to lend the money to the public by imposing an exorbitant interest and as a security of the said loan amount he uses to take from them the blank cheques, promissory notes, stamp papers etc. It is pertinent to note here that, the prosecution to prove its contentions has got examined CW1-Shri Udayabhaskar s/o G.Veerappa-the Investigating Officer as PW13. It is pertinent to note here that, PW13- in his examination-in-chief has deposed that on 04-01-2011 he received one letter from their Assistant Commissioner of Police and by receiving the said letter on 27-01-2011 he conducted the raid on the finance of accused no.1 on and seized the documents as per EXsP15 to P229 and MOs 1 to 6 and conducted the seizure mahazar in the presence of panchas and drawn the said mahazar from 01-45 p.m. to 11-30 p.m. and recorded the statement of witnesses and voluntary statement of accused no.1.

8. It is pertinent to note here that, the prosecution to prove its above case has further got examined CW15-Shri G.Puttalingappa s/o Late Ganganna as PW12 and CW18-Shri Paramesh s/o Lingarajegowda as PW14. It is to be noted here that, PWs12 and 14 are the raiding parties and have unequivocally deposed that on 27-01-2011 they have conducted the raid on the said finance of accused no.1 and have seized the documents and also the material objects.

9. It is pertinent to note here that, the prosecution to prove its above case has further got examined CW19-Shri S.Narasimhaiah s/o Late Siddaiah-the Investigating Officer as PW15. It is to be noted here that, PW15 has deposed that on 27-01-2011 he received the complaint from PW13 and registered the case.

10. It is pertinent to note here that, the prosecution to prove its above case has further got examined CW3-Shri Ganesh s/o K.P.Ramappa-the Seizure mahazar witness as PW1. It is pertinent to note here that, PW1 has turned hostile and not supported the case of the prosecution.

11. It is pertinent to note here that, the prosecution to prove its above case has further got examined CW4-Shri K.L.Ramesh s/o K.Lakshman as PW2, CW5-Shri Nagaraju s/o Ugrappa as PW3, CW6-Shri Shivajirao s/o Ranojirao as PW4, CW7-Shri Suresh s/o Ramaiah as PW5, CW9-Shri Rafiq s/o Ameer Jan as PW6, CW10- Shri Ramakrishnappa s/o Marikalaiah as PW7, CW12-Shri Sukumar s/o K.K.Nayar as PW8, CW13-Shri Yasin Khan s/o Peersab as PW9, CW14-Shri Lokesh M.N. s/o M.Narayanappa as PW10 and CW11- Shri G.K.Manjunath s/o Krishnamurthy G. as PW11.

It is pertinent to note here that, the prosecution has arrayed PWs2 to 9 and 11 as witnesses to establish that they have availed the loan from the accused no.1 and at the time of availing the said loan amount as a security they have given blank cheques, on demand pronotes, stamp papers etc., to the accused no.1. It is to be noted here that, PWs2 to 9 and 11 have turned hostile and not supported the case of the prosecution.

It is pertinent to note here that, the prosecution has got examined PW10 to show that he is a friend of accused no.1 and having knowledge about his business. It is pertinent to note here that, PW10 has turned hostile.

12. It is pertinent to note here that, in the instant case the prosecution has got marked EXP13-Letter. It is pertinent to note here that, from perusal of EXP13 it appears that on 27-12-2010 one Shri Rajkumar r/o Nandini Extension, Bengaluru had sent the letter to then Commissioner of Police, Bengaluru, making allegation against the accused no.1 and one Prakash as they are doing the money lending business by imposing an exorbitant interest and they also uses to give threats to their customers and also to their guarantors. It is pertinent to note here that, in the instant case from entire evidence of PW13 it clearly appears that he has not made any attempt to trace out the said Rajkumar. It is pertinent to note here that, from EXP13 it appears that it is an anonymous letter. It is pertinent to note here that, no doubt anybody can lodge the complaint, but, at the same time the prosecution has to prove its case beyond all reasonable doubt.

It is pertinent to note here that, in the instant case the prosecution has got marked the documents at ExsP1 to P232. It is to be noted here that, mere marking of the document is only a ministerial act and it is the duty of the prosecution to prove the contents of the documents. It is to be noted here that, in the instant case the prosecution has failed to prove the contents of the said documents. It is pertinent to note here that, PWs1 to 11 have turned hostile. That, only on sole testimony of PWs12 to 15 the accused no.1 cannot be convicted. It is to be noted here that, from available records it clearly appears that the accused no.1 has been falsely implicated in present case. It is pertinent to note here that, in the instant case the evidence on record is not sufficient to hold that the accused no.1 has committed the offences as alleged by the prosecution. It is pertinent to note here that, the prosecution in the instant case has failed to prove the essential requisites of section 28 of the Karnataka Money Lenders Act and under sections 3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act, 2004. It is to be noted here that, in view of My above findings and without much discussion I hold, that the prosecution has utterly failed to prove the guilt of the accused for the offence punishable under sections 5, 37 and 39 of the Karnataka Money Lenders Act, 1961 and under sections 3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act, 2004. In view of the same, points no.1 and 2 are answered in the NEGATIVE.

13. Point No.3:- That, as discussed on points no.1 and 2, I proceed to pass the following:-

ORDER That, acting under section 248(1) of the Code of Criminal Procedure, the accused no.1 is acquitted for the offence punishable under sections 5, 37 and 39 of the Karnataka Money Lenders Act, 1961 and under sections 3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act, 2004.

That, the bail and surety bonds of the accused no.1 are stands cancelled.

That, the accused no.1 shall comply with the provisions of section 437(A) of the Code of Criminal Procedure.

That, the orders passed in respect of M.Os.1 to 4 shall be made as absolute and M.Os.5 and 6 shall be return to the accused no.1 after appeal period.

(Dictated to the stenographer, transcript thereof, computerized and then corrected by me and then pronounced in open Court on this the day of 23rd day of January 2017).

Date:23.01.2017 (Hema Pastapur) Place:Bengaluru I Addl. C. M. M, Bengaluru.

Annexure List of witnesses examined on behalf of the prosecution PW1: Shri Ganesh s/o K.P.Ramappa;

PW2:	K.L.Ramesh s/o K.Lakshman;
PW3:	Nagaraju s/o Ugrappa;
PW4:	Shivajirao s/o Ranojirao;
PW5:	Suresh s/o Ramaiah;
PW6:	Rafiq s/o Ameerkhan;
PW7:	Ramakrishnappa s/o Marikalaiah;
PW8:	Sukumar s/o K.K.Nayar;
PW9:	Yasinkhan s/o Peersab;
PW10:	Lokesh M.N. s/o M.Narayanappa;
PW11:	G.K.Manjunath s/o Krishnamurthy G;
PW12:	G.Puttalingappa s/o Late Ganganna;
PW13:	Udayabhaskar s/o G. Veerappa;

PW14:	Paramesh s/o Lingarajegowda and
PW15:	S.Narasimhaiah s/o Late Siddaiah.

List of documents marked on behalf of the prosecution EXP1: Seizure mahazar;

EXP1(a):	Signature of PW1;
EXP1(b):	Signature of PW12;
EXP1(c):	Signature of PW13;
EXP1(d):	Signature of PW14;
EXP2:	Statement of PW1;
EXP3:	Statement of PW2;
EXP4:	Statement of PW3;
EXP5:	Statement of PW4;
EXP6:	Statement of PW5;
EXP7:	Statement of PW6;
EXP8:	Statement of PW7;
EXP9:	Statement of PW8;
EXP10:	Statement of PW9;
EXP11:	Statement of PW10;

EXP12: Statement of PW11;  
EXP13: Letter dated 27-12-2010;  
EXP13(a): Signature of PW13;  
EXP14: Letter of Assistant Commissioner of Police;  
EXP14(a): Signature of PW13;  
EXP15: Loan application of Kumar s/o Shankaraiah;  
EXP16: Consideration receipt;

EXP17: Loan application of Shekar s/o Siddu;  
EXP17(a): Consideration receipt;

EXPs17(b) and (c): 2 Indian Overseas Bank cheques  
EXP18: Loan application of Manjunath s/o Nagaraju;

EXP18(a): On demand pronote  
EXPs18(b) and (c): 2 Blank cheques of State Bank of India;  
EXP19: Loan application of Nagaraju s/o Ugrappa;

EXP19(a): On demand pronote;  
EXP20: Loan application of Nagaraju s/o Utappa;  
EXP20(a): On demand pronote;  
EXP21: Loan application of Ramesh s/o Kalegowda;  
EXP21(a): On demand pronote;  
EXP22: Loan application of Jaffar s/o Nasiruddin;  
EXP22(a): On demand pronote;  
EXP23: T.N.Venkatesh s/o Late Narayanappa;  
EXP23(a): On demand pronote;  
EXP24: Loan application of R.N.Venkatesh s/o Narayanappa;  
EXP24(a): On demand pronote;  
EXP24(b): Blank cheques of State Bank of India;  
EXP25: Loan application of Chikkanarasimhaiah s/o Gangaiah;  
EXP25(a): On demand pronote;  
EXP26: Loan application of Siddaraju s/o Siddaraju;

EXP26(a): On demand pronote;  
EXP26(b): Cheque of Vijaya Bank;  
EXP27: Loan application of K.M.Krishnappa s/o Muniyppa;  
EXP27(a): On demand pronote;  
EXP28: Loan application of A.Nagaraj s/o Late Anandanaiah;  
EXP28(a): On demand pronote;  
EXP28(b): Blank cheque of Centurian bank of Punjab;  
EXP29: Loan application of Ghouse Mohiddin s/o Mohammed Peersab;  
EXP29(a): On demand pronote;  
EXP30: Loan application of Sukumar Nayar

s/o K.K.Nayar;  
EXP30(a): On demand pronote;  
EXP31: Loan application of Gurubasavaiah  
s/o Huchappa;  
EXP31(a): On demand pronote;  
EXP32: Loan application of Sharanu s/o Chandrakanth;  
EXP32(a): On demand pronote;  
EXP33: Loan application of B.Muniyappa  
s/o Venkateshappa;  
EXP33(a): On demand pronote;  
EXP33(b): Blank cheque of State Bank of India;

EXP34: Loan application of Smt.Mallamma  
w/o Mallikarjunaiah;  
EXP34(a): On demand pronote;  
EXP35: Loan application of Manjunath s/o Madappa;  
EXP35(a): On demand pronote;  
EXP36: Loan application of Srinivas K.V.  
s/o Venkataiah;  
EXP36(a): On demand pronote;  
EXP37: Loan application of Muniraju K.T  
s/o Tippahanumaiah;  
EXP37(a): On demand pronote;  
EXP38: Loan application of Muniraj s/o Thimmarayappa;  
EXP38(a): On demand pronote;  
EXP39: Loan application of Nataraj  
s/o Lakshminarasimhaiah;  
EXP39(a): On demand pronote;  
EXP40: Loan application of Ramesh s/o Mallaiah;  
EXP40(a): On demand pronote;  
EXP41: Loan application of Rafiq s/o Ameerjan;  
EXP41(a): On demand pronote;  
EXP41(b): Blank cheque of Corporation Bank;  
EXP42: Loan application of Adinarayana s/o Adiyappa;  
EXP42(a): On demand pronote;  
EXP43: Loan application of Kamaraj s/o Bhootenna;  
EXP43(a): On demand pronote;

EXP44: Loan application of Shivanna s/o Siddaiah;  
EXP44(a): On demand pronote;  
EXP45: Loan application of G.Yathish  
s/o Late Gangadharappa;  
EXP45(a): On demand pronote;  
EXP46: Loan application of M.Madegowda  
s/o Puttaswamy;  
EXP46(a): On demand pronote;

EXP46(b): Cheque of State Bank of Mysore; EXP47: Loan application of Venkataswamy s/o Venkatappa;

EXP47(a): On demand pronote;

EXP47(b): Blank cheque of Canara Bank; EXP48: Loan application of Mahadev s/o Late Madaiah; EXP48(a): On demand pronote;

EXP49: Loan application of Nayaz s/o Nazeer; EXP49(a): On demand pronote;

EXP50: Loan application of Umashankar s/o Karisiddaiah;

EXP50(a): On demand pronote;

EXP50(b): Blank chque of Indus Ind Bank; EXP51: Loan application of Sukumar Nayar s/o Late K.K.Nayar;

EXP51(a): On demand pronote;

EXP52: Loan application of K.G.Vijaykumar s/o K.Govindaraj;

EXP52(a): On demand pronote;  
EXP53: Loan application of K.L.Ramesh s/o Lakshmaiah;  
EXP53(a): On demand pronote;  
EXP54: Loan application of Vishwanath s/o Ugregowda;  
EXP54(a): On demand pronote;  
EXP55: Loan application of M.Govindaraj s/o Muniraj;  
EXP55(a): On demand pronote;  
EXP55(b): Blank cheque of INICI Bank;  
EXP56: Loan application of Ramesh s/o Thimmaiah;  
EXP56(a): On demand pronote;  
EXP56(b): Blank cheque of Axis Bank;  
EXP57: Loan application of Kumar H.S. s/o Srikantaiah;  
EXP57(a): On demand pronote;

EXsP57(b) to (e): 4 Blank cheques of ICICI Bank; EXP58: Loan application of Allabakash s/o Mehaboob;

EXP58(a): On demand pronote;  
EXP58(b): Blank cheque of Vijaya Bank;  
EXP59: Loan application of Nanjaiah Shetty  
s/o Lingaiah;  
EXP59(a): On demand pronote;  
EXP59(b): Blank cheque of UCO Bank;  
EXP60: Loan application of Gopinathaiah  
s/o M.Govindaiah;

EXsP60(a): On demand pronote;



EXP60(b) and (c): 2 Blank cheques of Federal bank, EXP61: Loan application of Nagaraju s/o Ugrappa;

EXP61(a): On demand pronote;  
EXP62: Loan application of Smt.G.Rathna w/o Dinesh;  
EXP62(a): On demand pronote;  
EXP63: Loan application of Venugopal s/o C.Dasappa;  
EXP63(a): On demand pronote;  
EXP63(b): Cheque of ING Vysya Bank;  
EXP64: Loan application of Smt.G.Rathna w/o Dinesh;  
EXP64(a): On demand pronote;  
EXP65: Loan application of Bhagathkumar  
s/o Prasannakumar;  
EXP65(a): On demand pronote;  
EXP66: Loan application of Smt.Mallamma  
w/o Mallikarjunaiah;  
EXP66(a): On demand pronote;  
EXP66(b): Cheque of UCO Bank;  
EXP67: Loan application of Shivajirao s/o Ranojirao;  
EXP67(a): On demand pronote;  
EXP67(b): Blank cheque of HDFC Bank;  
EXP68: Loan application of L.K.Ramesh s/o Lakshmaiah;  
EXP68(a): On demand pronote;  
EXP68(b): Blank cheque of Bank of India;  
EXP69: Loan application of Nagaraju s/o Mutturaju;

EXP69(a): On demand pronote;  
EXP70: Loan application of Siddappa  
s/o Mallanna Angadi;  
EXP70(a): On demand pronote;  
EXP71: Loan application of K.L.Ramesh s/o Lakshmaiah;  
EXP71(a): On demand pronote;  
EXP72: Loan application of Doddaiiah s/o Bettaiah;  
EXP72(a): On demand pronote;  
EXP73: Loan application of P.Dasappa s/o Pakkirappa;  
EXP73(a): On demand pronote;  
EXP74: Loan application of K.M.Krishnappa  
s/o Muniyappa;  
EXP74(a): On demand pronote;  
EXP75: Loan application of Basha s/o Ibrahimpasha;  
EXP75(a): On demand pronote;

EXP75(b): Blank cheque of Axis Bank; EXP76: Loan application of Murugan s/o Muniswamy; EXP76(a): On demand pronote;

EXP77: Loan application of Najimuddin s/o Noorulla; EXP77(a): On demand pronote;

EXP78: Loan application of Venkatesh s/o Sundaresh; EXP78(a): On demand pronote;

EXP78(b): Blank cheque of Indian Bank; EXP79: Loan application of Chandru s/o Basavaraju;

EXP79(a): On demand pronote;

EXP79(b) and (c): 2 Blank cheques of Corporation Bak; EXP80: Loan application of Padmaraju s/o Kalleshappa;

EXP80(a): On demand pronote;  
EXP81: Loan application of Madivala s/o Yallappa;  
EXP81(a): On demand pronote;  
EXP82: Loan application of M.Roopesh  
s/o Late Malleshwarappa;  
EXP82(a): On demand pronote;  
EXP82(b): Blank cheque of Centurian Bank of Punjab;  
EXP83: Loan application of Smt.Pushpalatha  
w/o Rangaswamy;  
EXP83(a): On demand pronote;  
EXP84: Loan application of Kumar H.S.  
s/o Shankaraiah;  
EXP84(a): On demand pronote;  
EXP85: Loan application of Shivu s/o Vijendrarao;  
EXP85(a): On demand pronote;  
EXP86: Loan application of Rangaswamy  
s/o Krishnegowda;  
EXP86(a): On demand pronote;  
EXP87: Loan application of Achyuth K. Devadiga  
s/o Kuppanna;  
EXP87(a): On demand pronote;

EXP88: Loan application of Varun Devadiga  
s/o Achyuth;  
EXP88(a): On demand pronote;

EXP88(b): Blank cheque of ING Vysya Bank; EXP89: Loan application of Xavier s/o Alexender; EXP89(a): On demand pronote;

EXP90: Loan application of K.G.Shivaramappa s/o Kallurugangappa;

EXP90(a): On demand pronote;

EXP91: Loan application of N.Prakash s/o Damu; EXP91(a): On demand pronote;

EXP92: Loan application of Smt.Soubhagya w/o K.Ravindraswamy;

EXP92(a): On demand pronote;

EXP93: Loan application of Devraj s/o Narasappa; EXP93(a): On demand pronote;

EXP94: Loan application of Nagaraj s/o Ugrappa; EXP94(a): On demand pronote;

EXP95: Loan application of Allabaksh s/o Mehaboob; EXP95(a): On demand pronote;

EXP96: Loan application of Bheema s/o Honnaiah; EXP96(a): On demand pronote;

EXP97: Loan application of R.Suresh s/o Rangaraju; EXP97(a): On demand pronote;

EXP97(b): Blank cheque of Syndicate Bank;

EXP98: Loan application of Govindaraju s/o Late Nanjappa;

EXP98(a): On demand pronote;  
EXP99: Loan application of Halappa s/o Thimmanna;  
EXP99(a): On demand pronote;  
EXP99(b): Blank cheque of Citi Bank;  
EXP100: Loan application of Govindaraju s/o Muniraj;  
EXP100(a): On demand pronote;  
EXP101: Loan application of S.Vijayakumar  
s/o Shivajirao;  
EXP101(a): On demand pronote;

EXP101(b): Blank cheque of Syndicate Bank; EXP102: Loan application of Rangaswamy s/o Chennarangaiah;

EXP102(a): On demand pronote;

EXP103: Loan application of Sriniva s/o M.S.Shivanna; EXP103(a): On demand pronote;

EXP104: Loan application of Murgan s/o Muniswamy; EXP104(a): On demand pronote;

EXP104(b): Blank cheque of Corporation Bank; EXP105: Loan application of Sukumar Nayar s/o K.K.Nayar;

EXP105(a): On demand pronote;

EXP106: Loan application of Prashanth M.R. s/o Rangaswamy;

EXP106(a): On demand pronote;

EXP106(b): Blank cheque of HDFC Bank;  
EXP107: Loan application of Ravi H.R.  
s/o Ramakrishnegowda;  
EXP107(a): On demand pronote;

EXP108: Loan application of V.Srinivas  
s/o Late venkatesh;  
EXP108(a): On demand pronote;  
EXP109: Loan application of Mohammed Wajid  
s/o Mohiddin Pasha;  
EXP109(a): On demand pronote;

EXsP109(b) and (c): Two blank cheque of Centurian Bank; EXP110: Loan application  
of Srinivas s/o Hanumanthappa;

EXP110(a): On demand pronote;

EXP111: Loan application of Mansoor Ahamed s/o Ghouse Ahamed;

EXP111(a): On demand pronote;

EXP112: Loan application of V.P.Anand s/o Late Perumal;

EXP112(a): On demand pronote;  
EXP112(b): Rent agreement;  
EXP112(c): Blank cheque of Vittal Sahakar Bank;  
EXP113: Loan application of Gangadhar s/o Ningaiah;  
EXP113(a): On demand pronote;

EXP113(b): Rent agreement;

EXP113(c): Blank cheque of UCO Bank; EXP114: Loan application of S.Raju s/o  
Sugga Rangaiah; EXP114(a): On demand pronote;

EXP114(b): Stamp paper of Rs.100/-; EXP114(c): Blank cheque of Corporation Bank;  
EXP115: Loan application of Padmaraj s/o Rajanna; EXP115(a): On demand pronote;

EXP116: Loan application of K.Mani s/o Kataiah; EXP116(a): On demand pronote;

EXP117: Loan application of G.K.Krishnappa s/o Kattaiah;

EXP117(a): On demand pronote;

EXP118: Loan application of Suresh s/o Ramaiah; EXP118(a): On demand pronote;

EXP119: Loan application of Bhagatkumar s/o Prasannakumar;

EXP119(a): On demand pronote;

EXP119(b): Blank cheque of HDFC Bank for Rs.40,000/-; EXP120: Loan application of Navin V.C. s/o Achuthan; EXP120(a): On demand pronote;

EXP120(b): Blank stamp paper;

EXP121: Loan application of Manjunath s/o Tipparoo; EXP121(a): On demand pronote;

EXP122: Loan application of Praveen s/o Laxminarayan;

EXP122(a): On demand pronote;

EXP123: Loan application of Mahadev s/o Madaiah; EXP123(a): On demand pronote;

EXP123(b): Cheque of UTI Bank for Rs.10,000/-; EXP124: Loan application of Ghose Mohiddin s/o Peersab;

EXP124(a): On demand pronote;

EXP124(b): Blank cheque of ICICI Bank; EXP125: Loan application of Chennappa s/o Venkatappa; EXP125(a): On demand pronote;

EXP126: Loan application of Adilnawaz s/o Nasiruddin; EXP126(a): On demand pronote;

EXP126(b): Blank cheque of HDFC Bank for Rs.1,00,000/-

(no name);

EXP127: Loan application of Nagaraj s/o Ugrappa; EXP127(a): On demand pronote;

EXP128: Loan application of Suresh s/o Ramaiah; EXP128(a): On demand pronote;

EXP129: Loan application of V.Honnappa s/o Veeranna; EXP129(a): On demand pronote;

EXP129(b): Blank cheque of Bank of Baroda; EXP130: Loan application of G.K.Manjunath s/o Krishna; EXP130(a): On demand pronote;

EXP131: Loan application of Dharma s/o Mailaregowda; EXP131(a): On demand pronote;

EXP132: Loan application of Sunil s/o Munsiram; EXP132(a): On demand pronote;

EXP133: Loan application of Muniraju s/o Thippanna; EXP133(a): On demand pronote;

EXP134: Loan application of Shivu s/o Vijayendraraao; EXP134(a): On demand pronote;

EXP135: Loan application of K.L.Ramesh s/o Laxmaiah; EXP135(a): On demand pronote;

EXP136: Loan application of Velu s/o Muniswamy; EXP136(a): On demand pronote;

EXP137: Loan application of Sukumar S.K. s/o Nayar; EXP137(a): On demand pronote;

EXP138: Loan application of Arun C.M. s/o Mastegowda; EXP138(a): On demand pronote;

EXP138(b): Blank cheque of Karnataka Bank; EXP139: Loan application of Palanivelu s/o Govindaraju; EXP139(a): On demand pronote;

EXP140: Loan application of Adinarayan s/o Adyappa; EXP140(a): On demand pronote;

EXP141: Loan application of Shankar Rathod s/o Arjun; EXP141(a): On demand pronote;

EXP142: Loan application of Narayanmurthy s/o Thimmanjaneyappa;

EXP142(a): On demand pronote;

EXP143: Loan application of Smt.Savitri w/o Sureshgowda;

EXP143(a): On demand pronote;

EXP144: Loan application of Girishbabu s/o Rajashekaraiah;

EXP144(a): On demand pronote;

EXP144(b): Blank cheque of Canara Bank; EXP145: Loan application of Jayachandra s/o Jayapal; EXP145(a): On demand pronote;

EXP145(b): Blank cheque of ICICI Bank; EXP146: Loan application of Imtiyaz s/o Hashraff; EXP146(a): On demand pronote;

EXP147: Loan application of Ravikrishna s/o Huchegowda;

EXP147(a): On demand pronote;

EXP148: Loan application of Smt.Parvathamma w/o Pradeep;

EXP148(a): On demand pronote;

EXP148(b): Blank stamp paper of Rs.20/- of Bank of Baroda;

EXP148(c): Blank cheque of Shushruti Souharda Sahakara Bank;

EXP149: Loan application of Esha s/o Krishnoji Rao; EXP149(a): On demand pronote;

EXP149(b): Blank cheque of Central Bank;

EXP150: Loan application of Nagaraj s/o Nanjappa;

EXP150(a): On demand pronote;  
EXP151: Loan application of Abdul Pasha s/o Abdulsab;  
EXP151(a): On demand pronote;

EXP151(b) and (c): Two blank cheques Corporation Bank; EXP152: Loan application of G.Suresh s/o Gangaiah;

EXP152(a): On demand pronote;  
EXP152(b): Blank cheque of Corporation Bank;  
EXP153: Loan application of Lokesh Rao  
s/o Panduranga Rao;  
EXP153(a): On demand pronote;  
EXP153(b): Blank cheque of HDFC Bank;  
EXP154: Loan application of Basavaraju  
s/o Bettaswamaiah;  
EXP154(a): On demand pronote;  
EXP155: Loan application of Chidananda Shetty  
s/o Rudrappa;  
EXP155(a): On demand pronote;  
EXP156: Loan application of K.T.Kumar  
s/o K.Thimanna;  
EXP156(a): On demand pronote;  
EXP156(b): Cheque of Shyamarao Vittal  
Co-operative Bank;

EXP157: Loan application of Santhosh Pillai  
s/o Chandrashekar Pillai;

EXP157(a): On demand pronote;  
EXP157(b): Cheque of ICICI Bank;

EXsP157(c) to (e): Three cheques of Hongcong Shangai; EXP158: Loan application of Santhosh Pillai s/o Chandrashekar Pillai;

EXP158(a): On demand pronote;  
EXP159: Loan application of Mohiddin s/o Abdul Jabbar;  
EXP159(a): On demand pronote;  
EXP159(b): Blank stamp paper of Rs.50/-  
EXP159(c): Blank cheque of UCO Bank;  
EXP160: Loan application of Babujan s/o Abdulsab;  
EXP160(a): On demand pronote;  
EXP160(b): Blank cheque of HDFC Bank;  
EXP161: Loan application of Paramesh s/o Shivanna;  
EXP161(a): On demand pronote;  
EXP162: Loan application of Paramesh s/o Shivanna;  
EXP162(a): On demand pronote;  
EXP163: Loan application of Akmalpasha s/o Pashasab;  
EXP163(a): On demand pronote;

EXsP163(b) and (c): Blank cheques of HDFC Bank; EXP164: Loan application of Cheluvraj s/o Singraiah; EXP164(a): On demand and consideration receipt;  
EXP165: Loan application of Sridhar s/o Gopal; EXP165(a): On demand and consideration receipt; EXP166: Loan application of Srinivas s/o Hanumanthaiah;

EXP166(a): On demand pronote;

EXsP166(b) and (c): 2 Cheques of Corporation Bank; EXP167: Loan application of Narasimhamurthy s/o Ramaiah;

EXP167(a): On demand and consideration receipt; EXP168: Loan application of Murugan s/o Muniswamy; EXP168(a): On demand and consideration receipt;

EXP169: Loan application of Ravindraswamy s/o Krishnamurthy;

EXP169(a): On demand and consideration receipt; EXP170: Loan application of Sharvan s/o M.Panchappa; EXP170(a): On demand and consideration receipt;  
EXP171: Loan application of Venkateshan s/o Sudarshan; EXP171(a): On demand and consideration receipt; EXP172: Loan application of Nagaraj s/o Nanjappa;  
EXP172(a): On demand and consideration receipt; EXP173: Loan application of G.K.Krishna s/o Kalappa; EXP173(a): On demand and consideration receipt;



EXP173(b): Cheque of Vysya Bank;  
EXP174: Loan application of Venkatesh s/o Gurappa;  
EXP174(a): Blank cheque of Canara Bank;  
EXP174(b): Blank on demand and consideration receipt;  
EXP175: Loan application of Eranna s/o Rangappa;  
EXP175(a): Blank cheque of ICICI Bank;

EXP175(b): Blank on demand and consideration receipt;  
EXP176: Loan application of Venkatesh s/o Rajaram;

EXsP176(a) and (b): 2 blank cheques of State Bank of India; EXP176(c): Blank on demand and consideration receipt; EXP177: Blank cheque of Canara Bank; EXP177(a): Loan application of Shankarrao s/o Vinobrao; EXP177(b): Blank on demand and consideration receipt; EXP178: Loan application of Madappa s/o Madegowda; EXsP178(a) and (b): Two blank cheques of HDFC Bank; EXP178 (c): Blank on demand and consideration receipt;

EXP178(d): Blank stamp paper;  
EXP179: Loan application of Devaraj s/o Ramanna;  
EXP179(a): On demand pronote;  
EXP179(b): Blank Stamp paper;  
EXP180: Loan application of Nadim and Shabina;  
EXP180(a): Blank cheque of Corporation Bank;  
EXP180(b): Blank on demand and consideration receipt;  
EXP181: Loan application of Nadim;  
EXP181(a): On demand and consideration receipt;  
EXP182: Loan application of Pavan and Naresh;  
EXP182(a): Consideration receipt;  
EXP182(b): Blank cheque of ICICI Bank;  
EXP183: Loan application of Esha;  
EXP183(a): Cheque of Central Bank;  
EXP183(b): Blank on demand and consideration receipt;

EXP184: Loan application of Shankarrao;  
EXP184(a): Blank cheque of HDFC Bank;  
EXP184(b): Blank on demand and consideration receipt;  
EXP185: Blank cheque of Shushruti Sahakara Bank;  
EXP185(a): Blank cheque of Shyamarao Vittal Bank;

EXP185(b): Blank on demand and consideration receipt; EXP185(c): Loan application;

EXP186: Blank cheque of UCO Bank;  
EXP186(a): Loan application;

EXP186(b): Blank on demand and consideration receipt; EXP187: Loan application of Narayanamurthy;

EXP187(a): Blank stamp paper;  
EXP187(b): Consideration receipt;  
EXP188: Blank cheque of Indus Ind Bank;  
EXP188(a): Loan application of Ali Mirza;  
EXP188(b): Blank stamp paper;

EXP188(c): Consideration receipt; EXP189: Loan application of Chakravarthi;  
EXP189(a): Consideration receipt; EXP190: Loan application of Devendrabharathi;  
EXP190(a): Blank cheque of Indian Bank; EXP190(b): Consideration receipt;  
EXP191: Loan application of Mahadev; EXP191(a): Blank cheques of Shyamarao Vittal Bank EXP191(b): Blank consideration receipt;

EXP192: Blank signed cheque of Indus Ind Bank; EXP192(a): Loan application of Chennakeshava; EXP192(b): Consideration receipt; EXP193: Blank signed cheque of Corporation Bank; EXP193(a): Loan application of R.K.Raj; EXP193(b): Blank stamp paper;

EXP193(c): Consideration receipt; EXP194: Loan application of Mohammed M.Shyam; EXP194(a): Blank stamp paper;

EXP194(b): Consideration receipt; EXP195: Blank signed cheque of HDFC Bank; EXP195(a): Loan application;

EXP195(b): Consideration receipt; EXP196: Loan application of C.Raju; EXP196(a): Consideration receipt; EXP197: Blank signed cheque of Vijaya Bank; EXP197(a): Loan application;

EXP197(b): Consideration receipt; EXP198: Signed loan application of M.Ramakrishna; EXP198(a): Consideration receipt; EXP199: Blank cheque of Federal Bank; EXP199(b): Consideration receipt; EXP200: Two blank cheques of Corporation Bank; EXP200(a): Loan application;

EXP200(b): Consideration receipt;

EXP201: Blank signed cheque of ICICI Bank; EXP201(a): Loan application;

EXP201(b): Consideration receipt; EXP202: Blank signed cheque of Vijaya Bank; EXP202(a): Loan application;

EXP202(b): Consideration receipt; EXP203: Blank signed cheque of Vijaya Bank; EXP203(a): Loan application;

EXP203(b): Consideration receipt; EXP203(c): Blank stamp paper;

EXP204: Blank signed cheque of ABMAMRO Bank; EXP204(a): Loan application;

EXP204(b): Consideration receipt; EXP205: Blank signed cheque of Shushruth Sahakari Bank;

EXP205(a): Loan application;

EXP205(b): Consideration receipt;

EXP206: Blank signed cheque;

EXP206(a): Signed loan application of Rajashekar; EXP206(b): Consideration receipt; EXP206(c): Blank stamp paper;

EXP207: Signed loan application of Basavaraj; EXP207(a): Consideration receipt; EXP208: Ten signed blank cheques of Indus Ind Bank; EXP208(a): Loan application;

EXP208(b): Consideration receipt; EXP209: Signed loan application of Sundar; EXP209(a): Consideration receipt; EXP210: Loan application of Gopalakrishna; EXP210(a): Consideration receipt; EXP211: Loan application of Shankar; EXP211(a): Consideration receipt; EXP212: 15 signed blank cheques of Indus Ind Bank; EXP212(a): Loan application;

EXP212(b): Consideration receipt; EXP213: Blank stamp paper (signed and thumb impression);

EXP214:	Rent agreement;
EXP215:	Blank paper (signed and thumb impression);
EXP216:	Blank stamp paper of Rs.100/- (signed and thumb impression);
EXP217:	Rent agreement;
EXP218:	Rent agreement;
EXP219:	Two blank cheques of State Bank of India;
EXP219(a):	Loan application;

EXP219(b): Consideration receipt;

EXP220: Loan application;

EXP220(a): Consideration receipt; EXP221: Signed blank cheque of Indian Bank; EXP221(a): Loan application;

EXP221(b): Consideration receipt; EXP222: Blank cheque of Canara Bank;

EXP222(a): Loan application;

EXP222(b): Consideration receipt; EXP223: Loan application of K.Ravindraswamy;  
EXP223(a): Consideration receipt; EXP224: Loan application of Kublu Singh;  
EXP224(a): Consideration receipt; EXP225: Signed blank cheque of Corporation Bank;

EXP225(a): Loan application;  
EXP225(b): Consideration receipt;  
EXP226: Signed blank cheque of Corporation Bank;  
EXP226(a): Loan application;  
EXP226(b): Consideration receipt;  
EXP227: Five long note books;  
EXP228: 50 cards;  
EXP229: Blank E-stamp paper;  
EXP230: Complaint;  
EXP230(a): Signature of PW12;  
EXP230(b): Signature of PW15;  
EXP231: FIR;  
EXP231(a): Signature of PW15 and  
EXP232: Order copy.

List of witnesses examined on behalf of the accused no.1 Nil List of documents marked on behalf of the accused no.1 Nil List of material objects marked on behalf of the prosecution M.O.1 Touch screen mobile phone.

M.O.2: Nokia mobile model no.1100(9481450846)  
M.O.3: Cash of Rs.1,87,000/-;  
M.O.4: Identity card of Shri Lokesh and  
M.Os.5 and 6: Keys.

Date:23.01.2017  
Place:Bengaluru

(Hema Pastapur)  
I Addl C. M. M, Bengaluru.

23-1-2017

State by Sr.APP.,  
Accused no.1 C/B  
For judgment.

(Judgment pronounced in the Open Court, vide separate order) ORDER That, acting under section 248(1) of the Code of Criminal Procedure, the accused no.1 is acquitted for the offence punishable under sections 5, 37 and 39 of the Karnataka Money

Lenders Act, 1961 and under sections 3 and 4 of the Karnataka Prohibition of Charging Exorbitant Interest Act, 2004.

That, the bail and surety bonds of the accused no.1 are stands cancelled.

That, the accused no.1 shall comply with the provisions of section 437(A) of the Code of Criminal Procedure.

That, the orders passed in respect of M.Os.1 to 4 shall be made as absolute and M.Os.5 and 6 shall be return to the accused no.1 after appeal period.

(Hema Pastapur) I Addl.CMM, Bengaluru.