



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

CRIMINAL PETITION NO. 6294 OF 2026 (438(Cr.PC)

/ 482(BNSS)

BETWEEN:

1. SHRI MANOJ KUMAR
S/O K R TOMAR,
AGED ABOUT 52 YEARS,
AT NO.148, DDA FLAT
LADO SARAI
GADAIPUR
SOUTH DELHI - 110 030.

...PETITIONER

(BY SRI. MADHAV BALAJI KASHYAP.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY PEENYA POLICE STATION
PEENYA SUB-DIVISION
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA BUILDING
DR.B R AMBEDKAR VEEDHI,
BENGALURU - 560 001

...RESPONDENT

(BY SMT.WAHEEDA H M, HCGP)

THIS CRL.P IS FILED UNDER SECTION 438 CR.PC (FILED
U/S 482 BNNS) PRAYING TO DIRECT THE
RESPONDENT/POLICE TO RELEASE THE PETITIONER/ACCUSED





NO. 3 ON BAIL IN THE EVENT OF HIS ARREST, IN RESPECT OF C.C. NO. 15896/2026 (ARISING OUT OF CRIME NO. 564/2025 DATED 08.10.2025 REGISTERED BY THE RESPONDENT/PEENYA POLICE) ALLEGING COMMISSION OF OFFENCES PUNISHABLE UNDER SEC.316(4) AND 318(2) OF BHARATIYA NYAYA SANHITA, 2023 PENDING ON THE FILE OF THE LEARNED III ADDL. CHIEF JUDICIAL MAGISTRATE, BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

The accused No.3/petitioner is before this court apprehending his arrest in Crime No.564/2025 registered before the respondent/police for the offences punishable under Sections 316(4) and 318(2) of BNS, 2023 pending on the file of the learned III Additional Chief Judicial Magistrate, Bengaluru seeking anticipatory bail.

2. A complaint dated 08.10.2025 came to be filed by one Rakesh Balan, Authorized Representative of M/s. Merck Life Science Pvt. Ltd., against certain Manu T.J. and M/s. Brett Med Life Sciences Company, alleging offences of cheating, criminal breach of trust, falsification of accounts, and criminal conspiracy.



3. The allegation is that accused No.1, Manu T.J., was an employee of the complainant company and, in collusion with the distributor, namely M/s.Brett Med Life Sciences Company, a proprietary concern, extended credit facilities unauthorizedly, thereby causing financial loss to the complainant company. Based on the said complaint, a case came to be registered in Crime No. 564/2025 before the respondent/police for the offences noted above.

4. It appears that during the course of investigation, the respondent-police have found that the proprietor of accused No.2 company, namely Niraj Kumar, who is the brother of the petitioner herein, had allegedly transferred a sum of Rs.1,40,00,000/- to the account of the present petitioner.

5. The learned counsel for the petitioner, drawing the attention of this Court to the statement of objections filed by the respondent-police in the petition earlier filed before the Trial Court, submits that though the petitioner



has not been arrayed as an accused either in the original complaint, the FIR, or in any subsequent statement, however, in the objections, the respondent-police have described him as accused No.3 without there being any substantive material against him. He submits that this has given rise to a serious apprehension of his imminent arrest on the basis of unfounded allegations. Hence, the petitioner is entitled to be enlarged on bail. It is further contended that no material has been placed on record by the prosecution to implicate the petitioner in the alleged offences. He also submits that the petitioner's brother, who has been arrayed as accused No.2, has already been granted bail by the Trial Court. Therefore, he seeks grant of bail to the petitioner on the ground of parity.

6. Despite service of notice, respondent No.2 remained absent.

7. Though the petition is opposed, on a specific query made by this Court, the learned High Court



Government Pleader for the respondent/State is unable to point out the basis for referring to the petitioner herein as accused No.3, in the absence of any complaint, further statement, or FIR having been filed against him.

8. Perusal of the records and the submissions made would indicate that the petitioner has made out a case of reasonable apprehension of his imminent arrest on the allegation that accused No.2 had transferred a sum of Rs.1,40,00,000/- to his account. Further, in light of the fact that accused No.2 already having been granted bail, this Court is of the considered view that the petitioner has made out a case for grant of bail. Accordingly, the following:

ORDER

- i) Petition is ***allowed***.
- ii) The petitioner herein shall be released on bail in the event of his arrest in Crime No.564/2025 registered before the respondent/police for the offences punishable under Sections 316(4) and 318(2) of BNS, 2023 pending



on the file of the learned III Additional Chief Judicial Magistrate, Bengaluru, subject to following conditions:

- a) The petitioner shall execute personal bond for a sum of Rs.2,00,000/- with one local surety for the like sum, to the satisfaction of the jurisdictional Court;
- b) The petitioner shall appear before the Investigation Officer within ten days from the date of receipt of certified copy of this order and shall extend full co-operation in the investigation of the matter.
- c) The petitioner shall not tamper with the prosecution witnesses.
- d) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

In case the petitioner violates any of the bail conditions as stated above, liberty is reserved to the



prosecution to file necessary application for cancellation of
bail granted to the petitioner herein.

**Sd/-
(M.G.S. KAMAL)
JUDGE**

BKM
List No.: 1 Sl No.: 71