



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 8TH DAY OF JUNE, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 5860 OF 2026

BETWEEN:

MANU T. J.
S/O JAYARAMA T.K.
AGED ABOUT 30 YEARS
OCC: EX EMPLOYEE OF MERCK
R/O. SPG COLONY, TAVAREKERE
MAGADI ROAD, BANGALORE
SOUTH TALUK
BANGALORE - 562 130.

...PETITIONER

(BY SRI C.H. JADHAV, LEARNED SR. COUNSEL FOR
SRI CHETAN JADHAV, ADV)

AND:

STATE OF KARNATAKA
BY PEENYA POLICE STATION,
REPRESENTED BY ITS STATE
PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU - 560 001.

...RESPONDENT

(BY SRI RANGASAWAMY R, HCGP FOR R-1;
SRI PRAMOD NAIR, LEARNED SR. COUNSEL FOR
SRI THANUSH S, ADV.)

THIS CRL.P IS FILED U/S.438 (FILED U/S.482 BNSS) CR.P.C
PRAYING TO GRANT ANTICIPATORY BAIL IN THE EVENT OF HIS
ARREST IN CRIME NO.564/2025 IN CRL.MISC.NO.2840/2020 ON THE
FILE OF THE PEENYA POLICE STATION REGISTERED FOR OFFENCE
P/US/ 316(4),318(2) OF BNS 2023 NOW ITS REGISTERED
C.C.NO.15896/2026 PENDING ON THE FILE OF THE III ACJM
BENGALURU.

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





CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused No.1 in Crime No.564/2025 registered by Peenya Police Station, Bengaluru City, for the offences punishable under Sections 316(4) and 318(2) of BNS, 2023, is before this Court in this petition filed under Section 482 of BNSS, 2023, seeking anticipatory bail.
2. Heard the learned counsel for the parties.
3. FIR in Crime No.564/2025 was registered by Peenya Police Station, Bengaluru, for the offences punishable under Section 316(4), 318(2) and 336(3) of BNS, 2023, against the petitioner herein and others based on the first information dated 08.10.2025 received from Rakesh Balan, authorized representative of a company known as M/s. Merck Life Science Pvt. Ltd. Apprehending arrest in the said case, petitioner had filed Crl.Misc.No.2840/2026 which was dismissed on 08.04.2026. Therefore, he is before this Court.
4. Learned Senior counsel appearing on behalf of the petitioner submits that the alleged offences are triable by the



Court of Magistrate and the maximum punishment for the said offences is imprisonment for a period of seven years. Petitioner is a person, who has no other criminal antecedents. He was granted interim anticipatory bail by the jurisdictional Sessions Court and thereafter, he had participated in the investigation and his statement was also recorded by the investigation officer on 27.10.2025. He submits that petitioner has appeared before the Investigation Officer on three dates thereafter. Investigation of the case is now completed and charge sheet is filed. Accordingly, he prays to allow the petition.

5. Per contra, learned Senior Counsel appearing on behalf of the defacto complainant has filed a list of documents and has opposed the petition. He submits that police have only filed a preliminary charge sheet and investigation of the case is still pending. Petitioner has not co-operated with the police for the purpose of investigation. There is a serious flight risk in the event petitioner is enlarged on bail. Since the petitioner has not operated before the Trial court, NBW has been issued against him. He submits that certain other additional documents are yet to be recovered from the petitioner and involvement of



other persons in the case is also required to be found out. He submits that the parameters for granting anticipatory bail in cases registered for economic offences are different. Accordingly, he prays to dismiss the petition.

6. A reading of the typed first information dated 08.10.2025 submitted by the authorized representative of company known as M/s. Merck Life Science Pvt. Ltd. would go to show that petitioner herein was working as a Customer Excellence Specialist in the said company from 15.07.2021 onwards. The allegation against the petitioner is that he had issued unauthorised credit note in favour of one of the distributor of the complainant company and thereby, had caused loss to the tune of Rs.7,87,48,000/- to the company.

7. Perusal of the material on record would go to show that petitioner was granted interim anticipatory bail by the jurisdictional Sessions Court in the present case and on the strength of the same, petitioner had appeared before the investigation officer and had participated in the investigation. Learned Senior Counsel appearing on behalf of the petitioner has made a submission that petitioner has appeared before the



investigation officer in the present case on 27.10.2025, 28.10.2025, 31.10.2025 and on 13.01.2026. Investigation of the case is now completed and charge sheet has been filed for the aforesaid offences. Perusal of the charge sheet material would go to show that petitioner has participated in the investigation and his statement was also recorded by the police on 27.10.2025.

8. The Hon'ble Supreme Court in the case of ***Siddharam Satlingappa Mhetre vs. State of Maharashtra and Others*** - ***(2011) 1 SCC 694*** in paragraph Nos.89 and 90, has observed as follows:-

"89. It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided.



90. A great ignominy, humiliation and disgrace is attached to the arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage."

9. Similar view has been taken by the Hon'ble Supreme Court in its subsequent judgments in the case of ***Bijender vs. State of Haryana - SLP (Crl.)No.1079/2024 and Vinay Kumar Gupra vs. State of Madhya Pradesh - SLP(Crl) No.20215/2025 - 2026 LiveLaw (SC) 180.***

10. The offences alleged in the present case are triable by the Court of Magistrate and the maximum punishment for the said offences is imprisonment for a period of seven years. Undisputedly, petitioner is a person without any criminal antecedents. He has worked in the complainant company for a period of more than four years. Non-bailable warrant was issued against the petitioner in the present case by the Trial Court only for the reason that he had not appeared before the said Court after charge sheet was filed.



11. Learned Senior counsel appearing for the petitioner has submitted that only for the reason that his anticipatory bail was subsequently rejected, he could not appear before the Trial Court and therefore, NBW was issued against him. The apprehension expressed by learned Senior Counsel appearing for the defacto complainant can be taken care of by imposing appropriate conditions on the petitioner while granting anticipatory bail. Under the circumstances, I am of the opinion that the prayer made by the petitioner for grant of anticipatory needs to be answered affirmatively. Accordingly, the following:-

12. The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.564/2025 registered by Peenya Police Station, Bengaluru City, for the offences punishable under Sections 316(4) and 318(2) of BNS, 2023, subject to the following conditions:

1. The Petitioner shall appear before the jurisdictional Court within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two



sureties for the likesum to the satisfaction of the jurisdictional Court.

2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

3. Petitioner shall not tamper with the prosecution witnesses and he shall co-operate with the police for investigation and appear before them whenever called upon.

4. The petitioner shall not involve in similar offences in future.

5. The petitioner is directed to surrender his passport before the Trial Court on the day he appears before the said Court for the purpose of executing his personal bond and furnishing sureties.

6. Petitioner's Passport shall be subject to further orders from the Trial Court.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

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List No.: 1 SI No.: 65