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Reserved on : 20.01.2026
Pronounced on : 30.01.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M. NAGAPRASANNA

CRIMINAL PETITION No.15776 OF 2025

BETWEEN:

SRI VENKAT RAMA NAIDU KOLA
AGED ABOUT 56 YEARS
S/O LATE K.C.NAIDU
RESIDING AT NO.13
4TH CROSS, 1ST MAIN ROAD
RMV 2ND STAGE
DOLLARS COLONY
BENGALURU – 560 094.

... PETITIONER

(BY SRI P.S.RAJAGOPAL, SR.ADVOCATE A/W
SRI P.N.NANJA REDDY, ADVOCATE)

AND:

1 . STATE OF KARNATAKA
BY AVALAHALLI P.S.,
REPRESENTED BY ITS
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 009.

2 . SRI VENKATAPPA K.,

SPECIAL POWER OF ATTORNEY OF
SMT.R.RADHA
W/O LATE KRISHNAN
AGED ABOUT 65 YEARS
R/AT 396, 4TH MAIN, 4TH BLOCK
1ST STAGE, HBR LAYOUT
BENGALURU – 560 043.

... RESPONDENTS

(BY SRI VINAY MAHADEVAIAH, HCGP FOR R-1;
SRI VENKATESH DALWAI, ADVOCATE FOR
SRI PRAVEEN H.P., ADVOCATE FOR R-2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF BNSS, 2023 PRAYING TO i) QUASH THE FIR AND COMPLAINT REGISTERED BY THE 1ST RESPONDENT AVALAHALLI POLICE AGAINST THE PETITIONER IN CR.NO.446/2025 FOR THE OFFENCES P/U/S 3(5), 335, 335(A)(iii), 337, 339, 340, 341, 323, 324, 329, 126, 351(1), 351(2), 351(4), 240, 242, 246, 314, 318, 319, 322, 308 OF BNSS ACT, WHICH IS PENDING ON THE FILE OF THE HON'BLE ACJM, BANGALORE RURAL DISTRICT AT BANGALORE AS PRODUCED AT ANNEXURE-'A'; ii) GRANT COST OF THIS PETITION.

THIS CRIMINAL PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 20.01.2026, COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: THE HON'BLE MR JUSTICE M.NAGAPRASANNA

CAV ORDER

The petitioner/accused No.8 is before this Court calling in question registration of crime in Crime No.446 of 2025 registered for offences punishable under Sections 3(5), 335, 335(A)(iii), 337, 339, 340, 341, 323, 324, 329, 126, 351(1), 351(2), 351(4), 240, 242, 246, 314, 318, 319, 322, 308 of the Bharatiya Nyaya Sanihta (BNS), 2023 and pending before the Additional Chief Judicial Magistrate, Bengaluru, Bengaluru Rural District.

2. Heard Sri P.S. Rajagopal, learned senior counsel appearing for the petitioner; Sri Vinay Mahadevaiah, learned High Court Government Pleader appearing for respondent No.1 and Sri Venkatesh Dalwai, learned senior counsel appearing for respondent No.2.

3. Factual canvass, shorn of unnecessary embellishments, may be delineated thus: -

3.1. The petitioner asserts to have purchased lands measuring 4 acres 24½ guntas in Sy.No.21/2 (old Sy.No.21); 4

acres 25 guntas in Sy.No.20 and 3 acres 31 guntas in Sy.No.44/1 under three different sale deeds all dated 25-04-2024 from the hands of one Smt. Radha. All the said lands are situated at Bandapura Village, Bidarahalli Hobli, Bengaluru East Taluk and the petitioner claims to be in peaceful possession and enjoyment of the said lands. On 22-10-2025, the 2nd respondent one K. Venkatappa, claiming to be the holder of a Special Power of Attorney executed by the said Smt. Radha, lodged a detailed complaint alleging a sprawling and well-orchestrated fraud involving impersonation, fabrication of documents, forgery and criminal conspiracy, and large scale misappropriation of valuable immovable property. The complaint culminated in registration of Crime No.446 of 2025 for the aforesaid offences.

3.2. The gravaman of the allegations is that several persons impersonated Smt. Radha and her family members appeared before the Sub-Registrar, and executed sale deeds in respect of lands belonging to the original Smt. Radha. One K. Lok Sunder represents himself as son of Radha, another Dr. K. Dhruva Kumar also represents himself as son of Radha; Dr. K. Meenakshi, daughter

of Smt. Radha and Dr.K. Lavanya, daughter of Smt. Radha all of whom do not belong to the family of original Smt. Radha. In the instruments that are executed about ₹15/- crores fraud has happened as the properties have changed hands. **This is one set of accused.** The other set of accused are Smt. Radha herself claiming to be the owner of subject lands executes sale deeds. The petitioner also has pivotal role in bringing in impersonators, apart from other accused. All these accused together have created fraud and fabricated documents. There are third set of accused who are one Lingaraj, Madhusudhan and C.Munendra have all appeared before the Sub-Registrar and signed as witnesses to the deeds.

3.3. The complainant further alleges that compensation paid by the National Highways Authority of India for acquisition of a portion of the land was fraudulently received by the impersonators. Witnesses to the sale deeds are also alleged to be complicit. Thus, the complaint portrays a layered conspiracy, involving several protagonists operating in concert.

3.4. The complaint, as observed, becomes a crime in Crime No.446 of 2025. One of the accused approaches this Court and a coordinate Bench is said to have granted stay of investigation while keeping the petition pending. The petitioner, in the case at hand, is accused No.8 who belongs to the second set of accused as noted in the complaint. The investigation had hardly commenced. The petitioner is at the doors of this Court. A coordinate Bench grants an interim order of stay on 24-11-2025 on the score that the dispute is purely civil in nature and the complaint lodged by the power of attorney holder was not permissible in law. The 2nd respondent/complainant after notice has filed an application seeking vacation of the interim order. The matter is heard at that stage.

4. The learned senior counsel Sri P. S. Rajagopal appearing for the petitioner submits that the issue in the */is* is purely civil in nature. The very power of attorney holder has instituted a suit in O.S.No.859 of 2025. In fact, there are other suits pending in O.S.No.2146 of 2023 and O.S.No.1137 of 2024, all of which challenging the sale deeds executed. The learned senior counsel would submit that the grounds urged in those civil suits are

identical to what is now projected in the criminal case. Therefore, the issue being purely civil in nature, criminal proceedings must not be permitted to continue. The learned senior counsel submits that the complainant or the prosecution is wanting to shift the burden of proving innocence upon the petitioner, while it requires the prosecution to prove the guilt beyond all reasonable doubt. He would submit that the criminal case can be revived, in the event the civil Court would hold that the sale deeds are marred by fraud. He would seek to place reliance on the judgment of the Apex Court in

RAJESHBHAI MULJIBHAI PATEL v. STATE OF GUJARAT
[(2020) 3 SCC 794] to buttress the aforesaid contention.

5. Per contra, the learned senior counsel Sri Venkatesh Dalwai appearing for the complainant would vehemently contend that there is large scale impersonation in the case at hand. There are four Radhas who have appeared before the Sub-Registrar and have signed the sale deeds. The real Radha has given Special Power of Attorney to the complainant and has not appeared before the Sub-Registrar at all. Therefore, Radha and her family members have all been impersonated in executing deeds for high value lands

by these perpetrators of fraud to which all the accused have connived together. The matter is still at the stage of investigation. In such a case, pendency of civil suit will not come in the way of investigation to be conducted by the Police. If the matter was to be purely civil in nature it would have been altogether different circumstance. It is not purely civil in nature. It has everything that a crime must have. The complaint is elaborate. Every fact is neatly brought out in the complaint. Police have been investigating into the matter. Projecting it to be a civil case, interim order is granted by this Court. The learned senior counsel submits that it is settled principle of law that both civil and criminal case can go hand in hand in exceptional cases. This is one such exceptional case.

6. The learned High Court Government Pleader Sri Vinay Mahadevaiah appearing for the 1st respondent would also toe the lines of the learned senior counsel for the 2nd respondent that this is a cartel that is operating which would see vacant lands, create documents, execute sale deeds by impersonating people before the Sub-Registrar. The investigation in the case at hand had commenced and had proceeded to a large extent. FSL reports are

obtained on the alleged signatures being fraud. He would submit that investigation must be permitted to be completed in the case at hand and it must not be interdicted, as those perpetrators' who had played fraud must be brought to books.

7. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the material on record.

8. The complainant being a power of attorney holder of Smt. Radha is a matter of record. Smt. Radha owns several properties is again a matter of record. The power of attorney holder notices that the properties belonging to Smt. Radha have all gone to the hands of several people without Radha or her power of attorney holder signing on the sale deeds. Therefore, action is taken by Smt. Radha in instituting a civil suit in O.S.No.859 of 2025 against several persons including the petitioner. The petitioner, in fact is defendant No.5. The prayers that are sought are to declare about 7 sale deeds/agreement to sell to be null and void. After institution of the said suit, criminal law is set into motion by

registering a complaint on 22-10-2025. This becomes a crime in Crime No.446 of 2025. Since the entire issue has sprung from the complaint, which is in great detail, I deem it appropriate to notice the complaint. It reads as follows:

"To,
The Station House Officer,
Avalahalli Police Station,
Bengaluru City Police (East Division),
Avalahalli, Bengaluru – 560 049.

From:
Shri. Venkatappa K.
Special Power of Attorney of
Smt. R. Radha
W/o late Sri Krishnan
Aged about 65 years,
Presently residing at No.396.
4th Main, 4th Block, 1st Stage,
HBR Layout, Bangalore – 560 043
Aadhaar No. 2944 1801 2654
Mobile No.9632364117

Sub: Complaint regarding large-scale impersonation, forgery, fabrication of property documents, criminal conspiracy, illegal hoardings, and fraudulent alienation attempts concerning lands bearing Sy. Nos. 20, 21, and 44/1 situated at Bandapura Village, Bidarahalli Hobli, Bengaluru East Taluk.

Respected Sir,

1, **Smt. R. Radha**, W/o Late Sri S. Krishnan, aged about 65 years, presently residing at No. 4, 1st Main Road, Near Railway Station, Boopsandra, Bengaluru - 560 032 (Aadhaar No. 2944 1801 2654), respectfully submit this complaint seeking immediate registration of a criminal case and investigation into the offences of forgery, impersonation, criminal trespass, cheating, intimidation, and conspiracy committed by the

accused persons named herein, who have illegally created and registered multiple false documents in respect of my property situated at Bandapura Village, Bidarahalli Hobli, Bengaluru East Taluk.

The facts of the Complaint are as follows:

- 1) Originally, three brothers, namely (i) Sri D.R. Madhava Rao, (ii) Sri D.R. Govinda Rao, and (iii) Sri D.R. Jagannatha Rao, were the joint owners of the following agricultural lands situated at Bandapura Village, Bidarahalli Holli, Bengaluru East Taluk, Bengaluru
 - a) Land bearing Survey No. 20, measuring 4 Acres 15 Guntas (including 10 Guntas of karab), bounded on the:
East by Sy. Nos. 14/1 and 47,
West by the road leading to Bandapura and Sy. No. 19,
North by Sy. No. 21. and South by Sy. No. 16.
 - b) Land bearing Survey No. 21, measuring 5 Acres 23 Guntas (including 8.12 Guntas of karab), bounded on the:
East by Sy. Nos. 43 and 44,
West by the road leading to Bandapura and Sy. No. 22,
North by Old Madras Road (NH-4), and
South by Sy. No. 20.
 - c) Land bearing Survey No. 44/1, measuring 3 Acres 31 Guntas (including 8.12 Guntas of karab), bounded on the:
East by Sy. No. 44/2
West by Sy. Nos. 20 and 21,
North by Sy. No. 43, and
South by Sy. Nos. 2 and 47.

(Hereinafter collectively referred to as the "**Said Lands**".)

- 2) After the coming into force of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954, the said lands vested with the Government. The aforesaid three brothers

thereafter filed an application in Case No. 10/1959-60 under Section 10 of the said Act seeking conferment of occupancy rights in respect of the said lands in their favour.

- 3) On consideration of the oral and documentary evidence produced, the Deputy Commissioner for Abolition of Inams, Bengaluru, by his order, was pleased to confer occupancy rights in favour of the said three brothers, namely D.R. Govinda Rao, Sri D.R. Madhava Rao, and Sri D.R. Jagannatha Rao, under Sections 9 and 9A of the *Mysore (Personall and Miscellaneous) Inams Abolition Act, 1954*
- 4) Thereafter, the aforesaid three brothers, Sri D.R. Govinda Rao, Sri D.R. Madhava Rao, and Sri D.R. Jagannatha Rao sold, transferred, and conveyed the said lands in favour of Sri N. Muddappa for a total sale consideration of ₹36,000/- (Rupees Thirty-Six Thousand only), under a registered sale deed bearing Document No. 416/74-75, Book I, Volume 1374, Pages 240-247, dated 24.04.1974, in the office of the Sub-Registrar, Hoskote (then the jurisdictional Sub-Registrar)
- 5) Subsequently, my husband, Sri S. Krishnan S/o Late Sri Sundaram, purchased the said lands from the said Sri N. Muddappa for a sale consideration of Rs. 65,000/- (Rupees Sixty-Five Thousand only), under a registered sale deed bearing Document No. 1864/77-79, Book I Volume 1550, Pages 156-168, dated 06.10.1978, in the office of the Sub-Registrar, Hoskote (then the jurisdictional Sub-Registrar).
- 6) My husband, Sri S. Krishnan, thereafter died intestate on 29.05.1986, leaving behind me as his sole legal heir, as we had no children out of our wedlock. Our marriage had been duly solemnized, and at the time of his death, my husband was residing with me at House No.130, III Stage, III Block, Basaveshwaranagara, Bengaluru - 560 079, and he passed away at Dr. Sattur Hospital, Mahalakshmiapuram, Bengaluru.
- 7) Upon the demise of my husband, the revenue records of the said lands were duly mutated in my name vide IHC-

MR No. 18/87-88, and the relevant revenue documents are in my possession and custody to date.

8) As I hail from Tamil Nadu and am presently residing in Bengaluru, after my husband's demise I have frequently travelled between Bengaluru and Tamil Nadu for personal reasons. However, I have continued to visit and supervise the said lands periodically to ensure their protection and upkeep (*For security reasons. I am not disclosing my residential address in this*)

Accused Persons:

- I. **Sri Ashwin Sancheti**, Authorized Signatory, M/s Sattva Resi Private Limited, No.3, 4th Floor, Salarpura Windsor, Halasuru Road, Bengaluru - 560042.
- II. **Smt. Radha** (Impersonated), aged about 73 years, mother of Lok Sundar, (Aadhaar No. 5897 6007 1193, PAN No. COJPR4035K, Ph: 63613 51951).
- III. **Sri Lok Sunder K**, S/o Smt. Radha (Impersonated), aged about 49 years. (Aadhaar No. 2182 4869 1052, Ph: 98806 33335).
- IV. **Dr. Dhruva Kumar K**, S/o Smt. Radha (Impersonated), aged about 47 years. (Aadhaar No. 9116 9424 5796).
- V. **Dr. Meenakshi K**, D/o Smt. Radha (Impersonated), aged about 44 years, (Aadhaar No. 3948 9738 2806, Ph: 98454 00017).
- VI. **Dr. Lavanya K**, D/o Smt. Radha (Impersonated), aged about 44 years, (Aadhaar No. 6753 6985 7779, Ph: 99805 11167).

All residing at No.130, 3rd Stage, Basaveshwara Nagar, Bengaluru-560079.

9) When I visited the land recently, I was shocked to find illegal hoardings erected on the said lands, falsely claiming ownership by certain persons. Being a widow and anxious about my life and property, I approached a known and trustworthy person, Sri K.V. Ananda Gowda of

Bengaluru, who agreed to assist me in taking appropriate legal recourse. Upon verification, I was shocked to learn from him that the accused persons, **in active collusion with the developer M/s Sattva Resi Private Limited (Accused No. 1)**, have instituted a false suit in OS. No. 1137/2024 before the Hon'ble II Additional Senior Civil Judge, Bengaluru Rural, by impersonating me through a woman posing as "**Smt. Radha**" (Aadhaar No. 5897 6007 1193) and falsely showing other persons as the alleged children of my late husband, Sri S. Krishnan. The developer, though aware of the falsity of the documents and the impersonation, has knowingly supported and participated in this fraudulent design.

- 10) The accused persons have set up false claims over my property by impersonating me and fabricating a forged sale deed purporting to be the original Sale Deed No. 1864/77-79, Book I. Volume 1550, Pages 156-168, dated 06-10-1978. They have done this by typing on old, reused stamp papers copied from a certified copy of my genuine handwritten sale deed obtained from the Office of the Sub-Registrar

It is evident on the face of the forged deed that it is fabricated, the stamp vendor's name is shown as **L. Vittoba Rao**, whereas the genuine document shows **S. Vittala Rao**; the **signatures, thumb impressions, and seals** of the vendor, purchaser, witnesses, and Sub-Registrar are all forged. The **date of purchase of the stamp papers** was also altered: the forged document shows **18.07.1978** instead of **20.07.1978**. The original handwritten sale deed in my possession bears a watermark and confirms authenticity. I also hold the **mother sale deed dated 24.04.1974**, further supporting my lawful title.

- 11) On the strength of this forged sale deed, the impersonated "Smt. Radha" and her alleged children (Accused Nos. 2 to 6), **acting in concert with the developer M/s Sattva Resi Private Limited (Accused No. 1)**, have **executed an illegal Joint Development Agreement (JDA) and General Power of Attorney (GPA)**, both dated 14.08.2023, registered as Document

Nos. BNS-1-09382/2023-24 and BNS-4-00552/2023-24 respectively.

Under these instruments, the developer purportedly agreed to pay an **interest-free refundable deposit of Rs. 15 crores**, out of which **Rs. 3 crores were illegally paid through two cheques**. These transactions were carried out **with full knowledge that the sale deed relied upon was forged**, clearly establishing the **developer's complicity and intent to derive wrongful gain** by participating in a criminal conspiracy with the impersonators.

The accused Nos. 2 to 6 further **executed a fraudulent inter se Gift Deed** registered as Document No. SHV-1-07810/2021-22 (CD No. SHVD1080) dated 21-03-2022 in the Office of the Sub-Registrar, Shivajinagar, Bengaluru.

- 13) Subsequently, they again **executed another fraudulent Gift Deed** registered as Document No. 14451/2024-25 dated 11-11-2024 in the Office of the Senior Sub-Registrar, Banaswadi, covering all three items of the said property, despite the earlier Gift Deed of 21-03-2022 not being cancelled. This sequence of inconsistent transactions shows a **continuing conspiracy** to create a chain of false documents.
- 14) Acting in **collusion with the then Special Tahsildar (Sri Mahesh)** of Bengaluru East Taluk, the accused succeeded in **illegally altering the mutation and RTC records** in their favour. After my complaint to the **Regional Commissioner, Department of Revenue**, the records were verified, and the Tahsildar was directed to **restore the mutation and RTC entries** in my name, confirming my lawful ownership and possession.
- 15) Nevertheless, the accused Nos. 1 to 6 and their agents have **trespassed** into my property, **erected boards and hoardings**, and **threatened me and my representatives with dire consequences** if we attempted to enter the land, thereby committing the offence of **criminal intimidation**.

16) The accused persons are further **abusing the process of the Hon'ble Courts** by filing false suits and documents to secure wrongful decrees, amounting to **fraud and cheating** not only against me but also against the judicial process itself.

Additional Accused - Set II

VII. **Smt. Radha** (Impersonated), aged about 60 years, falsely claiming to be the owner of the said lands (Aadhaar No. 2673 4129 8285; PAN No. AKVPJ4850C).

VIII. **Sri Venkat Rama Naidu Kola**, S/o Late Sri K.C. Naidu, aged about 56 years (Aadhaar No. 3652 6126 7073; PAN No. ABMPN6059K).

IX. Both residing at No. 13, 4th Cross, 1st Main Road, RMV 2nd Stage, Dollars Colony, Bengaluru – 560 094.

X. **Sri D.S. Shivarudrappa**, S/O Sri Subbanna, aged about 50 years. Managing Director, *M/s Shivashri Media Private Limited* (DIN 08900451)

XI. **Sri Srinivas R. Halakatti**, S/o Sri Rangappa, aged about 49 years, Executive Director, *M/s Shivashri Media Private Limited* (DIN 08900452).

XII. **M/s Shivashri Media Private Limited**, (Reg. No. 139232: CIN U22219KA2020PTC139232), having its office at **RAJ NEWS KANNADA**, No 16/1, KKMP Building, Millers Tank Bund Road, Vasanth Nagar, Bengaluru - 560 052.

17) I was shocked to find out from my trustworthy person, Sri K.V. Ananda Gowda of Bengaluru, that Smt. Radha (Accused No. VII) had instituted a false civil suit in OS. No. 2146/2023 before the Hon'ble II Additional Senior Civil Judge, Bengaluru Rural, against Sri Lingaraju and others, falsely projecting another impersonated "Smt. Radha" (Aadhaar No. 5806 9900 9658) and misrepresenting me (Aadhaar No. 2944 1801 2654) as the mother of Sri Lok Sundar and others, thereby creating

deliberate confusion to support their fabricated claim of ownership.

18) Thereafter, **Accused No. VII**, in active collusion with **Accused Nos. X to XII, created and registered forged documents by impersonating me**, namely:

- a) Agreement to Sell dated 24.02.2023, registered as a document bearing No.INR-1-15111/2022-23, CD No.INRD1289, in the Office of the Sub-Registrar, Indiranagar, Bengaluru, with respect to land bearing Sy No.20 and 21/2.
- b) Agreement to Sell dated 24.02.2023, registered as a document bearing No.INR-1-15114/2022-23, CD No.INRD1289, in the Office of the Sub-Registrar, Indiranagar, Bengaluru, with respect to land bearing Sy No.44/1.
- c) Deed of Declaration dated 24.02.2023, registered as a document bearing No.INR-1-15099/2022-23, CD No.INRD1289, in the Office of the Sub-Registrar, Indiranagar, Bengaluru, with respect to land bearing Sy No.44/1
- d) Deed of declaration dated 24.02.2023, registered as a document bearing No.INR-1-1506/2022-23, CD No.INRD1289, in the Office of the Sub-Registrar, Indiranagar, Bengaluru, with respect to land bearing Sy No.20 and 21/2

19) Subsequently, **Accused No. 1**, in collusion with **Accused No. 2**, further created and registered **fraudulent sale deeds**, as follows:

- a) Sale Deed, dated 25.04.2024, vide document No.VRT-1-00977/2024-25, in the office of the Sub-Registrar, Varthur, Bengaluru with respect to Sy No.20.
- b) Sale Deed, dated 25.04.2024, vide document No.VRT-1-01868/2024-25, in the office of the Sub-Registrar, Varthur, Bengaluru with respect to Sy No.44/1.

- c) Sale Deed, dated 10.06.2024, vide document No.VRT-1-02228/2024-25, in the office of the Sub-Registrar, Varthur, Bengaluru with respect to Sy No.21/2.
- 20) The above acts clearly demonstrate that the accused persons, **acting in concert**, have **dishonestly fabricated and executed false agreements and sale deeds** with **fraudulent intent** to cause wrongful loss to me and wrongful gain to themselves. These acts amount to **impersonation, forgery, and use of forged documents** punishable under law.
- 21) The accused, despite knowing their actions to be illegal, are attempting to **trespass upon my property**, have **erected misleading hoardings and signboards**, and are **threatening me and my representatives with dire consequences** if we enter the land, thereby committing **criminal trespass and criminal intimidation** under the *Bharatiya Nyaya Sanhita, 2023*.
- 22) The accused have also **abused the process of law** by filing false and frivolous suits based on forged documents, thereby committing **fraud and cheating not only upon me but also upon the Hon'ble Courts**.
- 29) In the said civil proceedings, de impersonated "Smt. Radha" has falsely claimed to have a daughter named **Smt. K. Lavanya**, who has **no connection whatsoever to any of the fraudulent documents or transactions** executed by the accused.

Additional Accused Set III

- XIII. **Sri Lingaraj**, S/o Sri Sanjeve Gowda, major, residing at No. 10, Chunchagatta Main Road, Supraja Nagar, Konanakunte Post, Bengaluru – 560 062.
- XIV. **Sri Madhusudhan N.** S/o Sri N. Nagaiah, major, residing at ABB/155/2, 1st Cross, Chikkabegur, Begur Post, Bommanahalli CMC Limits, Bengaluru - 560 068.
- XV. **Sri C. Munendra**, S/o Late Sri Govindaiah, major, residing at No. 19.9-3/6, Jayanagar, Tirupati Urban, Chittoor District, Andhra Pradesh - 517 501.

(And others, including the Sub-Registrar concerned and the witnesses to the alleged Will deed)

- 24) Upon further verification, I was shocked to learn that certain persons, **impersonating me and acting in collusion with each other**, have instituted **false suits in O.S. No. 2146/2023 and O.S. No. 1137/2024**, both pending before the Hon'ble II Additional Senior Civil Judge, Bengaluru Rural. I have already lodged **separate complaints** against two other sets of impersonators involved in those matters.
- 25) The **National Highways Authority of India (NHA)** acquired the northern portion of land bearing **Survey No. 21**, measuring **28.8 guntas**, for road widening and deposited **compensation of Rs.11,43,563/-** in my name.
- 26) Consequent to the said acquisition by the NHA, the revenue records were **reassessed and bifurcated**, resulting in **Sy. No. 21/1**, measuring **28.8 guntas** in the name of NHA, and **Sy. No. 21/2**, measuring **4 acres 24.8 guntas**, in my name.
- 27) The accused persons, in **collusion with one Smt. Radha (aged about 58 years)**, residing at No. 20, 2nd Main Road, Veerasandra, Attibele Hobli, Anekal Taluk, Bengaluru - 560 100 (Aadhaar No 3806 9900 9658; PAN No. EPWPR3393B; Mobile No. 9008277968), **Illegally withdrew the said compensation amount** of Rs. 11,43,563/- from NHA by impersonating me. The said amount was **fraudulently transferred** to her account No. 9552500101076901, **Karnataka Bank Ltd.**, Akshayanagar Branch, Bengaluru (IFSC KARB0000955), by way of **RTGS/NEFT on 12.01.2022**.
- 28) Thereafter, the accused persons falsely claimed that the said **impersonated Smt. Radha**, aged about 58 years and residing at the above address, **died on 27.12.2022**, while under their care and custody, and that after her death they **found a fabricated Will**. The alleged Will was **registered on 07.02.2023** before the *Sub-Registrar, Sarjapura, Bengaluru*, as Document No. **SRJ-**

3-00057/2022-23. It is evident that the said Will was **created after the death of the impersonated Radha**, and was fabricated by these accused to strengthen their false claim.

- 29) On the strength of the said **forged Will**, the accused persons **approached the Hon'ble Court, Bengaluru**, and by **abusing the process of law**, obtained a **Letter of Administration dated 17.07.2023 in P & SC No. 13/2023** by **playing fraud upon the Court**, producing false and fabricated documents as genuine.
- 30) Acting upon these forged documents and the fraudulently obtained Court order, the accused persons have **dishonestly attempted to sell, alienate, and create third-party rights** over my properties to secure **wrongful gain** for themselves and cause **wrongful loss** to me.
- 31) The accused are **illegally claiming possession** over the said lands, fully aware that their claims are false and baseless. They have **unlawfully restrained me and my representatives** from entering my own property and have **threatened us with dire consequences**, including threats to my Life, thereby committing the offence of **criminal intimidation**.
- 32) The accused have also **abused the process of the Hon'ble Courts** by falsely personating me to secure judicial decrees for wrongful benefit. Their acts amount to **fraud, cheating, impersonation, and forgery**, constituting offences not only against me but also against the **administration of justice**

In view of the foregoing facts and circumstances detailed in the preceding paragraphs and the materials annexed herewith, I most respectfully submit that the above-named accused persons belonging to **Set 1, Set II, and Set III**, have, in furtherance of their common intention and criminal conspiracy, committed grave and cognizable offences involving **forgery, impersonation, cheating, criminal breach of trust, criminal trespass, criminal intimidation**, and abuse of judicial process.

I therefore request your good office to kindly:

1. Register a criminal case (FIR) against all the above-named accused persons (Sets I, II, and III) for the offences committed in furtherance of their common intention and criminal conspiracy, which are punishable under the following provisions of the *Bharatiya Nyaya Sanhita, 2023 (BNS-2023)*:
 - a) **Section 335** - Making false documents.
 - b) **Section 335(3)** - Forgery.
 - c) **Section 337(3)** - Forgery of record of court or of public register.
 - d) **Section 339** - Possession of a document known to be forged and intending to use it as genuine.
 - e) **Section 340** - Using forged documents or electronic records as genuine.
 - f) **Section 341** - Making or possessing counterfeit seals, etc., with intent to commit forgery (including creation of false KYC documents).
 - g) **Section 323** - Concealment of property.
 - h) **Section 324** - Mischief.
 - i) **Section 329** - Criminal trespass.
 - j) **Section 126** - Criminal restraint.
 - k) **Section 351(1)(2)(4)** - Criminal intimidation.
 - l) **Section 240** - Giving false information respecting an offence committed.
 - m) **Section 242** - False personation for the purpose of an act or proceeding in a suit or prosecution.
 - n) **Section 246** - Dishonestly making a false claim in court.

- o) **Section 314** - Dishonest misappropriation of property.
- p) **Section 308** - Extortion
- q) **Section 318** - Cheating
- r) **Section 319** - Cheating by personation.
- s) **Section 322** - Dishonest or fraudulent execution of a deed of transfer containing false statements of consideration.
- t) **Section 3(5)** - Acts done by several persons in furtherance of a common intention.

2. **Seize and secure all forged, fabricated, and impersonated documents.** including the false sale deed dated 06-10-1978, the JDA and GPA dated 14-08-2023, the gift deeds dated 21-03-2022 and 11-11-2024, the agreements and sale deeds of 24-02-2023, 25-04-2024, and 10-06-2024, the forged Will dated 07-02-2023, and the related court records and mutation entries.

3. **Investigate the involvement of public officials and private individuals** who facilitated or abetted these illegal registrations, mutations, and impersonations.

4. **Provide protection** to me and my representatives from further threats, coercion, or intimidation by the accused or their agents.

5. **Take all preventive measures** to restrain any alienation, encumbrance, or third-party transactions on the said lands pending investigation.

I undertake to **extend full cooperation** to the investigation and to furnish all origin documents, certified copies, and evidence available with me.

Thanking You

List of Documents Enclosed

The following documents are enclosed herewith for your kind perusal and necessary action:

1. Copy of Sale Deed dated 06.10.1978, registered as Document No. 1864/77-79, Book I, Volume 1550, Pages 156-168, Office of the Sub-Registrar, Hoskote.
2. Copy of Mother Sale Deed dated 24.04.1974, registered as Document No. 416/74-75, Book I, Volume 1374, Pages 240-247, Office of the Sub-Registrar. Hoskote.
3. Copies of mutation records and RTC extracts in my name, including MR No. 18/87-88
4. Copies of forged and fabricated documents created by the accused (Sale Deeds, Gift Deeds, JDA, GPA, Agreements to Sell, and Deeds of Declaration).
5. Copies of civil suit proceedings in OS. Nos. 1137/2024 and 2146/2023 pending before the Hon'ble II Additional Senior Civil Judge, Bengaluru Rural.
6. Copy of forged Will dated 07.02.2023, registered as Document No. SRJ-3-00057/2022-23, Office of the Sub-Registrar, Sarjapura.
7. Copy of Letter of Administration dated 17.07.2023 in P & SC No. 13/2023, obtained by fraud before the Hon'ble Court at Bengaluru.
8. Copy of communication and order of the Regional Commissioner, Department of Revenue, directing restoration of mutation in my name.
9. Copies of Aadhaar, PAN, and supporting identification documents of impersonators referred to in the complaint.
10. Copies of photographs of the Said Lands showing illegal hoardings and signboards erected by the accused.

Copy to:

- 1) The Hon'ble Home Minister, Government of Karnataka, Vidhana Soudha, Bengaluru – 560 001.
- 2) The Hon'ble Revenue Minister, Government of Karnataka, Vidhana Soudha, Bengaluru - 560 001.
- 3) The Commissioner of Police, Bengaluru City Police, Infantry Road, Bengaluru - 560 001.
- 4) The Regional Commissioner, Department of Revenue, Government of Karnataka, Shanthinagar, Bengaluru – 560 027.
- 5) The Deputy Commissioner, Bengaluru Urban District, K.G. Road, Bengaluru - 560 009.
- 6) The Tahsildar, Krishnarajapura, Bengaluru East Taluk - 560 049.
- 7) Office Copy.

Place: Bengaluru

Date: 22/10/2025

Yours faithfully,

Sd/-

(Mr. Venkatappa K.)

[Signature]."

The complaint running into several pages painstakingly delineates three distinct sets of accused, each allegedly playing a defined role in the fraudulent enterprise. The petitioner belongs to the second set and the specific allegations against him are not peripheral, but central to the

alleged conspiracy. Against the petitioner, the direct allegation is as follows:

“.....ಇದ್ದಳ್ಳದೇ ಎರಡನೇ ಗುಂಪು ಶ್ರೀಮತಿ ರಾದ, ವೆಂಕಟರಾಮಾ ನಾಯ್ಯ ಕೊಲ ಡಿ.ಎನ್ ಶಿವರುಧ್ಯಾ, ಶ್ರೀನಿವಾಸ ಹಲಕಟ್ಟಿ ಮತ್ತು ಮನೆನ್ ಶಿವಶ್ರೀ ಮೀಡಿಯಾ ಪ್ರೇಸ್ ಲಿಮಿಟೆಡ್ ರವರುಗಳು ನೇರಿಕೊಂಡು ಈ ಜಮೀನು ಈ ರಾಧಾರವರಿಗೆ ನೇರಿದ್ದೆಂದು ಮಾನ್ಯ ನಾಯ್ಯಾಲಯದಲ್ಲಿ ಒಳಗ್ಂ-2146/2023 ರಲ್ಲಿ ದಾಖಲುಮಾಡಿದ್ದು, ಇವರುಗಳು ಜಮೀನನ್ನು ಪಡೆದುಹೊಳ್ಳಿ ಪ್ರಯತ್ನಿಸಿರುತ್ತಾರೆ. ಇಂದಿರಾನಗರ ಉಪ ನೆಲಂದಣ ಕಳೆರಿಯಲ್ಲಿ ದಿನಾಂಕ-24.02.2023 ರಂದು ನೇಲ್ ಅಗ್ರಿಮೆಂಟ್ ದಾಖಲಾತಿ ಸಂಖ್ಯೆ-ಬಿಎನ್ ಆರ್-1-15111/2022/2023-24 ರಲ್ಲಿ ಸರ್ವೇನಂ-20 ಮತ್ತು 21/2 ರ ಜಮೀನಿಗೆ ಮತ್ತು ನೇಲ್ ಅಗ್ರಿಮೆಂಟ್ ದಾಖಲಾತಿ ಸಂಖ್ಯೆ-ಬಿಎನ್ಆರ್-1-15114/2022/2023-24 ರಲ್ಲಿ, ಸರ್ವೇನಂ-44/1ರ ಜಮೀನಿಗೆ ಮಾಡಿರುತ್ತಾರೆ ಹಾಗೂ ಇದೇ ದಿನ ಡಿಕ್ಟರೆಂಷನ್ ಡೀಡ್ ನೊಂದಣ ಸಂಖ್ಯೆ- ಬಿಎನ್ಆರ್-1-15099/2022-2023 ರಲ್ಲಿ ಸರ್ವೇನಂ-41/1 ರ ಜಮೀನಿಗೆ ಮತ್ತು ಡಿಕ್ಟರೆಂಷನ್ ಡೀಡ್ ನೊಂದಣ ಸಂಖ್ಯೆ- ಬಿಎನ್ಆರ್-1-15096/2022/2023-24 ರಲ್ಲಿ ಸರ್ವೇನಂ-20 ಮತ್ತು 21/2 ರ ಜಮೀನಿಗೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ.”

This being the allegation, it is to be considered whether this Court should entertain the challenge to the registration of crime in Crime No.446 of 2025 for the aforesaid offences.

9. It is trite that civil and criminal remedies are not mutually exclusive. It is equally settled principle of law that merely because a given fact would project the matter being purely civil in nature, the criminal case must not be obliterated. The jurisprudence is replete with regard to the law as to whether civil and criminal cases can go hand in

hand. A given set of facts may project the case to be purely civil in nature. But, a deeper delving into the matter would clearly indicate that all hues and forms of crime exist in the given case.

10.1. The Apex Court in **ROCKY v. STATE OF TELANGANA**¹ has held as follows:

"....

24. The appellant's core contention, that the dispute is purely civil in nature, is untenable at this stage. Although courts must guard against giving criminal colour to civil disputes, it is equally well settled that the existence of civil remedies does not preclude criminal prosecution where the allegations disclose the essential ingredients of an offence. Civil and criminal proceedings may validly coexist if the factual matrix supports both."

10.2. The Apex Court in **ANURAG BHATNAGAR v. STATE (NCT OF DELHI)**² has held as follows:

"....

45. The allegations in the application moved under Section 156(3) CrPC and the material in support thereof reveals that SHL is contending breach of the conditions of MoU dated 11.03.1995 and that it has been induced and deceived by VLS for entering into the aforesaid MoU. VLS has cheated SHL and its officers by making a false promise which was legally impossible to be carried out. The allegations of breach of conditions of the MoU or of making a false promise by itself may not give rise to any

¹ 2025 SCC OnLine SC 2713

² 2025 SCC OnLine SC 1514

criminal action as no criminality is attached to it. However, there are elements of inducement, criminal conspiracy and cheating which are also borne out from the allegations made in the application and the complaint, which if proved, may amount to commission of an offence. Therefore, once such allegations are made out, it is difficult for the court in exercise of its inherent jurisdiction to interfere with the FIR, only for the reason that some of the disputes are of civil nature which may or may not be having any criminality attached to it.

46. It is well settled by a catena of decisions of this Court, especially in *State of Haryana v. Ch. Bhajan Lal Singh*, that the discretion to quash an FIR at a nascent stage has to be exercised with great caution and circumspection. In this connection, it would be beneficial to refer to an old case of Privy Council in *King Emperor v. Nazir Ahmad Khwaja* wherein the law was well settled that the courts would not thwart any investigation or that the courts should be very slow in interfering with the process of investigation. It is only in rare cases where no cognizable offence is disclosed in the FIR that the court may stop the investigation so as to avoid the harassment of the alleged accused. Even in such exercise of power, the court cannot embark upon an inquiry as to the genuineness or otherwise of the allegations made in the FIR or the complaint which have to be examined only after the evidence is collected.

47. The breach of conditions of the MoU or allegations of false promises in relation to the aforesaid MoU are undisputedly subject matter of the different FIRs lodged by VLS itself. Therefore, violation of those conditions for some reasons have been considered by VLS to be offensive. Therefore, the High Court rightly held that if breach of those conditions of the MoU itself has been considered to be of criminal nature by VLS, it cannot be permitted to turn around and allege that such breach of conditions would be of pure civil nature.

48. Thus, in the above facts and circumstances, we do not consider to go into detail as to the exact nature of disputes involved in the FIR and leave the same to be adjudicated upon

by the appropriate court where the chargesheets have been submitted."

10.3. In **KATHYAYINI v. SIDHARTH P.S. REDDY³** the Apex Court has held as follows:

"....

19. We now come to the issue of bar against prosecution during the pendency of a civil suit. We hereby hold that no such bar exists against prosecution if the offences punishable under criminal law are made out against the parties to the civil suit. Learned senior counsel Dr. Menaka Guruswamy has rightly placed the relevant judicial precedents to support the above submission. In the case of *K. Jagadish v. Udaya Kumar G.S.*³, this Court has reviewed its precedents which clarify the position. The relevant paragraph from the above judgment is extracted below:

"8. It is thus well settled that in certain cases the very same set of facts may give rise to remedies in civil as well as in criminal proceedings and even if a civil remedy is availed by a party, he is not precluded from setting in motion the proceedings in criminal law."

20. In *Pratibha Rani v. Suraj Kumar⁴*, this Court summed up the distinction between the two remedies as under:

"21. ... There are a large number of cases where criminal law and civil law can run side by side. The two remedies are not mutually exclusive but clearly coextensive and essentially differ in their content and consequence. The object of the criminal law is to punish an offender who commits an offence against a person, property or the State for which the accused, on proof of the offence, is deprived of his liberty and in some cases even his life. This does not, however, affect the civil remedies at all for suing the wrongdoer in cases like arson, accidents, etc. It is an anathema to suppose that when a civil remedy is available, a criminal prosecution is completely barred. The two types of actions are quite different in content, scope and import.

It is not at all intelligible to us to take the stand that if the husband dishonestly misappropriates the stridhan property of his wife, though kept in his custody, that would bar prosecution under Section 406 IPC or render the ingredients of Section 405 IPC nugatory or abortive. To say that because the stridhan of a married woman is kept in the custody of her husband, no action against him can be taken as no offence is committed is to override and distort the real intent of the law."

21. The aforesaid view was reiterated in *Kamaladevi Agarwal v. State of W.B.*,

"17. In view of the preponderance of authorities to the contrary, we are satisfied that the High Court was not justified in quashing the proceedings initiated by the appellant against the respondents. We are also not impressed by the argument that as the civil suit was pending in the High Court, the Magistrate was not justified to proceed with the criminal case either in law or on the basis of propriety. Criminal cases have to be proceeded with in accordance with the procedure as prescribed under the Code of Criminal Procedure and the pendency of a civil action in a different court even though higher in status and authority, cannot be made a basis for quashing of the proceedings."

22. After surveying the abovementioned cases, this Court in *K. Jagadish* (supra) set aside the holding of High Court to quash the criminal proceedings and held that criminal proceedings shall continue to its logical end.

23. The above precedents set by this Court make it crystal clear that pendency of civil proceedings on the same subject matter, involving the same parties is no justification to quash the criminal proceedings if a prima facie case exists against the accused persons. In present case certainly such prima facie case exists against the respondents. Considering the long chain of events from creation of family tree excluding the daughters of K.G. Yellappa Reddy, partition deed among only the sons and grandsons of K.G. Yellappa Reddy, distribution of compensation award among the respondents is sufficient to conclude that there was active effort by respondents to reap off the benefits from the land in question. Further,

the alleged threat to appellant and her sisters on revelation of the above chain of events further affirms the motive of respondents. All the above factors suggest that a criminal trial is necessary to ensure justice to the appellant."

10.4. In **PUNIT BERIWALA v. STATE (NCT OF DELHI)**⁴

the Apex Court holds as follows:

"...

MERE INSTITUTION OF CIVIL PROCEEDINGS CANNOT ACT AS A BAR TO INVESTIGATION OF COGNIZABLE OFFENCES

28. It is trite law that mere institution of civil proceedings is not a ground for quashing the FIR or to hold that the dispute is merely a civil dispute. This Court in various judgments, has held that simply because there is a remedy provided for breach of contract, that does not by itself clothe the Court to conclude that civil remedy is the only remedy, and the initiation of criminal proceedings, in any manner, will be an abuse of the process of the court. This Court is of the view that because the offence was committed during a commercial transaction, it would not be sufficient to hold that the complaint did not warrant a further investigation and if necessary, a trial. [See: *Syed Aksari Hadi Ali Augustine Imam v. State (Delhi Admin.)*, (2009) 5 SCC 528, *Lee Kun Hee v. State of UP*, (2012) 3 SCC 132 and *Trisuns Chemicals v. Rajesh Aggarwal*, (1999) 8 SCC 686].

(Emphasis supplied at each instance)

The Apex Court in **ROCKY**'s case *supra* reaffirmed the settled principle, that a mere availability of a civil remedy does not by itself

⁴ 2025 SCC OnLine SC 983

eclipse the jurisdiction of the criminal law, where the allegations on their face disclose essential ingredients of a recognizable offence. In the said matter, the allegations levelled were invoking Sections 406, 420, 344 and 506 of the IPC. **Upon a careful and nuanced examination of the factual matrix, the Apex Court deemed it appropriate to interdict the prosecution, only insofar as the offence under Section 406 of the IPC was concerned, while allowing the remaining charges to stand and the criminal trial to proceed. This course was adopted upon Court's satisfaction, that notwithstanding the presence of civil elements, the controversy could not be characterized as one of a purely civil complexion.**

In **ANURAG BHATNAGAR**'s case *supra*, the Apex Court once again declined to exercise its jurisdiction to quash the criminal proceedings, noting that the memorandum of understanding between the parties was not a mere commercial arrangement simpliciter, but one imbued with allegations of inducement and criminal breach of trust, as borne out from the averments contained in the complaint. **The Court held that the allegations, if taken**

to its face value, were sufficient to constitute the commission of a criminal offence and therefore, warranted adjudication through the rigours of a criminal trial.

In KATHYAYINI's case *supra*, where civil suits involving identical parties arising out of the same transaction were admittedly pending, the Apex Court held that pendency of civil proceedings cannot be employed as a shield to thwart criminal prosecution. The Court underscored that where the allegations disclose a prima facie case against the accused, the continuance of criminal proceedings is neither impermissible nor an abuse of the process, notwithstanding the existence of parallel civil litigation between the same parties.

Echoing this well entrenched jurisprudence, the Apex Court in PUNIT BERIWALA *supra* categorically held that mere institution of civil proceedings does not operate as a legal embargo upon the investigation or prosecution of a cognizable criminal offence. The Court, thus, reinforced the salutary principle that civil and criminal remedies though they may arise from the same set of facts, operate in distinct

spheres and pursue fundamentally different objectives, a caveat, it would depend on facts obtaining in each of the cases.

11. A common thread that runs through these authorities, where a set of facts disclose both civil wrong and criminal culpability is, the criminal law cannot be stultified, merely because civil proceedings are pending or maintainable. It would all depend on the facts obtaining in each case.

12. Diving back to the facts of the case, Smt. Radha is the wife of one S.Krishnan who owned 13 acres and 29 guntas of land in three different survey numbers and had purchased those lands through sale deed on 6-10-1978. The husband of Radha dies intestate on 29-05-1986 leaving behind his wife as the sole surviving heir for all the assets. All records related to the subject parcels of lands were mutated in the name of Radha. After the death of her husband, Radha moved to her native place in Tamilnadu and used to visit the lands quite often. The accused on coming to know of the absence of Radha are said to have hatched a

conspiracy to knock off the lands. Accused Nos. 1 to 6 then approached this Court in Writ Petition No.34562 of 2025 wherein a coordinate Bench has directed the State not to initiate any coercive steps but investigation to continue. With all these facts, the investigation in the case at hand is a must, to know who are the impersonators or perpetrators of fraud played. Pendency of civil suit, for the purpose of cancellation of sale deeds, cannot and will not come in the way of the investigation against the petitioner in the case at hand.

13. Applying the principles elucidated by the Apex Court to the case at hand, what emerges unmistakably is, that the allegations are not confined to breach of contractual obligations or rival claims of title. They traverse far deeper, into the realm of deceit, impersonation, forgery and calculated fraud. The complaint narrates how the absence of the true owner was exploited, how family identities were fabricated and how public offices were allegedly misled through forged appearances and signatures. These are

matters that cry out for investigation. To interdict such investigation at the threshold, would be to prematurely close the doors of criminal justice and to permit serious allegations of fraud to go unanswered.

14. The judgment relied on by the learned senior counsel for the petitioner is clearly distinguishable on facts and context. The decision arose in the *milieu* of cheque dishonour and collateral allegations. This cannot be transplanted wholesale into the present factual matrix, which is saturated with allegations of impersonation and document fabrication. In the totality of circumstances, this Court is of the considered view, that the petition is devoid of merit. The pendency of civil suits cannot, and ought not to impede investigation of grave and cognizable offences alleged in the complaint.

15. For the foregoing reasons, finding no merit in this petition, criminal petition stands **rejected. Interim order of any**

kind subsisting shall stand dissolved. The investigating agency shall proceed in accordance with law, to bring the investigation to its logical conclusion with due expedition.

Consequently, I.A.No.1 of 2026 also stands disposed.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

bkp
CT:MJ