

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(arising out of SLP(Crl.) No. 4840/2026)

KARNATAKA LOKAYUKTHA POLICE,
BANGALORE DISTRICT

..... APPELLANT(S)

VERSUS

SRINATH JOSHI MAHADEV, IPS

..... RESPONDENT(S)

O R D E R

1. Leave granted.
2. Karnataka Lokayuktha Police¹, Bangalore (now, Bengaluru), is in appeal assailing the grant of anticipatory bail by the High Court of Karnataka at Bengaluru to the respondent herein, *vide* order dated 01.09.2025 passed in Criminal Petition No. 10806/2025.
3. First Information Report (FIR) No. 28/2025 dated 02.06.2025 was registered by the Lokayuktha Police under the provisions of the Prevention of Corruption Act, 1988. Initially, the respondent, who was a Superintendent of Police in the Lokayuktha Police, was not named as an accused in the FIR. Only one Ningappa Savantha was shown as the accused therein. The allegation against him was that he had projected himself as an official of the Lokayuktha's office, so as to extract monies under threat

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Deepak Guptha
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Reason: 

1 “the Lokayuktha Police”, in short

from public servants.

4. The respondent stood implicated by the disclosures made by the accused, Ningappa Savantha, and was also examined under Section 35 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Apprehending his arrest, the respondent approached the Special Court by way of an application for grant of anticipatory bail. Meanwhile, he also filed a writ petition before the High Court seeking quashing of the proceedings, wherein he secured stay of further proceedings. The Special Court rejected the application for grant of anticipatory bail on 24.06.2025, as further proceedings remained stayed pursuant to the High Court's order. However, the writ petition came to be disposed of on 08.07.2025, leaving it open to the respondent to take recourse to remedies as were available to him in law, including filing of an application for grant of anticipatory bail. Thereupon, he again approached the Special Court by way of an application seeking such relief, but the same was rejected by the Special Court, *vide* order dated 18.07.2025. In the meanwhile, the respondent was himself arraigned as accused No. 2 in the aforestated FIR. He then approached the High Court by way of Criminal Petition No. 10806/2025, seeking grant of anticipatory bail.
5. Ningappa Savantha, accused No. 1, was himself a police constable, who was dismissed from service for unauthorized absence, and had contact with the respondent. The prosecution asserted before the High Court that both the accused were in

touch with each other and accused No. 1, Ningappa Savantha, used to visit the office of the Lokayuktha to meet the respondent.

6. Two mobile phone handsets were seized from the respondent and they were found to have been tampered with and were extensively damaged. These mobile handsets were sent to the Forensic Science Laboratory (FSL) for examination and a report was awaited at the time the High Court granted relief to the respondent. The High Court was inclined to take a lenient view towards the respondent on the ground that he had already appeared before the Investigating Officer (I.O.) pursuant to the notice issued to him. As the respondent had appeared before the I.O. in response to the notice issued to him and as he was not arrested, the High Court opined that there was no apprehension of his being arrested and, accordingly, granted him relief. Aggrieved thereby, the Lokayuktha Police is before us.
7. The inescapable fact is that the respondent is a member of the uniformed service and is of the rank of no less than the Superintendent of Police. Grave accusations have been levelled against him in the context of his alleged abuse of office within the establishment of the Lokayuktha. As the very objective of the Lokayuktha's establishment is to check corruption, the allegation against the respondent to the effect that he is himself a part of such corruption, warranted serious consideration. Being a member of a uniformed service, the

respondent cannot claim parity with a layman, who seeks protection from being arraigned as an accused in a criminal case and being investigated/arrested in connection therewith.

8. Given the material procured by the prosecution, which warranted deeper examination, the High Court was not justified in foreclosing the possibility of custodial interrogation by granting anticipatory bail to the respondent.
9. We, therefore, set aside the order passed by the High Court granting anticipatory bail to the respondent and direct him to surrender within a period of three weeks from the date of this order. He would be at liberty to seek regular bail, thereafter, in accordance with law before the appropriate forum. The appeal is, accordingly, allowed.

Pending applications, if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
OCTOBER 29, 2026.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Crl.) No. 4840/2026

[Arising out of impugned final judgment and order dated 01-09-2025 in CRLP No. 10806/2025 passed by the High Court of Karnataka at Bengaluru]

KARNATAKA LOKAYUKTHA POLICE, BANGALORE DISTRICT Petitioner(s)

VERSUS

SRINATH JOSHI MAHADEV, IPS Respondent(s)

Date : 29-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) :

Mr. Vikram Hegde, AOR
Mr. Trishan Dollny, Adv.
Mr. Akshit Singla, Adv.

For Respondent(s) :

Mr. Gaurav Aggarwal, Sr. Adv.
Mr. Sanjay Jain- 1299, AOR
Mr. Shankar Hegde, Adv.
Mr. Sunny Sachin Rawat, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(DEEPAK GUGLANI)
DEPUTY REGISTRAR

(PREETI SAXENA)
COURT MASTER (NSH)
(signed order is placed on the file)