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HC-KAR

NC: 2026:KHC:58487
CRL.P No. 7143 of 2025

CNR: KAHC010329552025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 15TH DAY OF OCTOBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ**

**CRIMINAL PETITION NO. 7143 OF 2025 (482(Cr.PC) / 528(BNSS)-)**

**BETWEEN:**

SHUBHA
D/O M SRIDHARA RAI
AGED ABOUT 35 YEARS
R/AT C/O KAMALAKSHA
2-46/5 SHIVAGIRI HOUSE
SURYA ROAD, BELATHANDY TALUK
UJIRE -574240

...PETITIONER

(BY SRI. KETHAN KUMAR., ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA
   BY BELATHANDY POLICE STATION
   REPRESENTED BY STATE PUBLIC PROSECUTOR
   HIGH COURT COMPLEX
   BENGALURU -560001

2. THANUSH M SHETTY
   S/O MOHAN KUMAR SHETTY
   AGED 24 YEARS
   R/AT SHREE KRISHNA
   NEAR ANUGRAHA SCHOOL
   UJIRE BELATHANDY TALUK
   DAKSHINA KANNADA -574240

...RESPONDENTS

(BY SRI. RANJITH KUMAR.N .,HCGP FOR R1;
R2-SERVED)

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THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE FIR REGISTERED AGAINST THE PETITIONERS (ACCUSED NO.1) IN FIR IN CRIME NO.27/2025 AGAINST THE PETITIONER BY THE RESPONDENT POLICE BELTHANGADI POLICE STATION PENDING BEFORE PRINCIPAL CIVIL JUDGE AND JMFC COURT, BELTHANGADY DAKSHINA KANNADA DISTRICT, FOR THE OFFENCES P/U/S 353(2), 62 OF BHARATIYA NYAYA SANHITA, 2023 VIDE ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

## ORAL ORDER

1. The Petitioners are before this court seeking for the following reliefs:

   a) *Quash the FIR registered against the petitioners (Accused No.1) in FIR in Crime No.27/2025 against the petitioner by the respondent police Belthangadi Police Station pending before Principal Civil Judge and JMFC court, Belthangady Dakshina Kannada District, for the offences p/u/s 353(2), 62 of Bharatiya Nyaya Sanhita, 2023 vide Annexure-A.*

   b) *Pass any other Order(s) or Direction(s) as this Hon'ble Court deems fit in the facts and circumstances of the case in the interest of justice and equity.*

2. Respondent No.2 had filed a complaint on 24.04.2025 on which basis FIR Crime No.27/2025 had been registered by the Beltangadi Police Station

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for offences under Section 353(2) and 62 of the Bharatiya Nyaya Sanhita, 2023 [**BNS**].

3. In the said complaint, it is alleged that on 16.04.2024 at around 06:00 p.m., using an autorickshaw bearing No.KA-44-A 0604, the petitioner had sought to run over the complainant and cause his death. There are various other allegations which have been made that she is doing so at the behest of somebody else by having obtained money to murder respondent no. 2. It is further alleged that the petitioner has been making and posting various messages on social media defaming respondent No.2.

4. The submission of learned counsel for the petitioner is that there is no such incident which has occurred. Secondly, the driver of the autorickshaw has not been made an accused.

5. Learned HCGP submits that there is a separate FIR which has been registered as against the autorickshaw driver and a charge sheet has been laid in that particular matter. Insofar as the present matter is concerned, there are serious allegations which have been made by respondent No. 2 against the petitioner. More so, the photograph of the

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respondent No. 2 lying in the hospital bed has also been posted on the Instagram with an inappropriate message. Apart from that, there are various other messages which have been posted by the petitioner on an Instagram handle which are threats made out to respondent No.2.

6. Heard Learned Counsel for the petitioners, learned HCGP for respondents. Perused papers.

7. A social media handle being available would not give a free license to any person to post any message that a person wants. The messages which are posted ought to be within the exercise and limits of Article 19(1)(a) of the Constitution. The manner in which the messages have been posted, as also the photograph of respondent No. 2 lying in the hospital bed has been posted with the message thereto, at this stage, indicates that the allegations made by respondent No.2 are not false. Whether they are true and to the extent that they are true would require investigation.

8. It is on account of the interim order which had been passed earlier that the investigation could not go through. Being of the considered opinion that the

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allegations made are serious enough requiring investigation, this Court passes the following:

**ORDER**

i. Criminal petition is **dismissed**.

ii. Respondent No.1 is directed to carry out necessary investigation at the earliest and file the report.

**(SURAJ GOVINDARAJ)**
**JUDGE**

LN
List No.: 1 Sl No.: 33