IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 6TH DAY OF MAY, 2025

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

CRIMINAL PETITION NO.200808 OF 2025

(482(Cr.PC)/528(BNSS))

BETWEEN:

1. NAGENDRA S/O SHIVAPPA PECHATTY,
   AGE: 69 YEARS, OCC: AGRICULTURE,
   R/O NEAR ESHWAR TEMPLE,
   KODADUR VILLAGE, TQ. KALAGI,
   DIST. KALABURAGI-585 312.

2. SATISHKUMAR S/O NAGENDRAPPA PECHATTY,
   AGE: 41 YEARS, OCC: AGRICULTURE,
   R/O NEAR ESHWAR TEMPLE,
   KODADUR VILLAGE, TQ. KALAGI,
   DIST. KALABURAGI-585 312.

...PETITIONERS

Digitally signed by RENUKA
Location: HIGH COURT OF KARNATAKA

(BY SRI. MAHANTESH H DESAI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
   THROUGH KALAGI P.S.,
2. THE TAHASILDAR AND THE TALUKA EXECUTIVE MAGISTRATE,
   TQ. KALAGI, DIST. KALABURAGI.

...RESPONDENTS

(BY SRI. VEERANAGOUDA MALIPATIL, HCGP FOR RESPONDENTS)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. (OLD), U/S 528 OF BNSS (NEW) PRAYING TO SET ASIDE THE ORDER DATED 11-04-2025 FOR INITIATING PROCEEDINGS AGAINST THE PETITIONER U/SEC. 130 OF BNSS ACT 2023 ON THE FILE OF THE TAHASILDAR AND TALUKA EXECUTIVE MAGISTRATE IN NO/KAM/DANDA/06/2025-2026.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY)

The petitioners are before this Court in this petition filed under Section 528 of the BNSS-2023 challenging the show-cause notice dated 11.04.2025 issued against the petitioners in a proceedings under Section 130 of BNSS-2023 by respondent No.2 – The Taluka Executive Magistrate Tq: Kalagi Dist: Kalaburagi.

02. The learned counsel for the petitioners submits that, on 22.04.2025 the petitioners have appeared before the respondent No.2 and have filed a detailed statement of objections to the impugned show-cause notice and therefore, this petition may be disposed of with a direction to respondent No.2 to consider the said objections in accordance with law.

03. The learned High Court Government Pleader appearing for the respondents fairly does not oppose the prayer made by the learned counsel for the petitioners.

04. Challenge is made in the present petition to the show-cause notice dated 11.04.2025 issued under the provision of Section 130 of BNSS-2023 wherein the petitioners are asked to appear before respondent No.2 on 22.04.2025 and show the cause as to why they should not be asked to execute a bond for a sum of Rs.2,00,000/- and furnish surety for the said amount, undertaking to maintain good behavior.

05. The learned counsel for the petitioners has submitted that, on 22.04.2025 the petitioners have appeared before respondent No.2 and have already filed their statement of objections to the impugned show-cause notice.

06. Therefore, this petition is disposed of with a direction to the respondent No.2 to consider the objections now filed on behalf of the petitioners to the impugned show-cause notice and thereafter, pass appropriate orders on merits in accordance with law.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

KJJ
List No.: 1 Sl No.: 29
CT: AK