



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 4677 OF 2026

BETWEEN:

1. SRI RAKESH KUMAR SAHU,
S/O BHAIYALAL SAHU,
AGED ABOUT 53 YEARS,
WORKING AS ESTATE MANAGER,
EMU, DRDO TOWNSHIP,
PHASE-1, C V RAMAN NAGAR,
BENGALURU,
2. SRI T.G. SUDHAKAR,
DRDO CLEANING SUPERVISOR,
C/O T GOVINDHAPPA,
R/A 7-60, JOWKUPALLI,
UNSIGANIPALLI, RAMAKUPPAM,
CHITTOR, ANDHRA PRADESH, 517425
PRESENTLY AT BENGALURU,
AGED ABOUT 34 YEARS.

...PETITIONERS

(BY SRI ARVIND KAMATH, ADDL. SOLICITOR GENERAL OF
INDIA A/W SRI VINAY VENUGOPAL, ADVOCATE)





CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

AND:

1. THE STATE OF KARNATAKA,
THROUGH MAHADEVPURA POLICE STATION
BUS STOP, WHITEFIELD MAIN RD,
BESIDE SINGAYYANAPALYA,
KRISHNARAJAPURAM, BENGALURU,
KARNATAKA-560048.
REP. BY SPP, HIGH COURT BUILDING,
BANGALORE 01.
2. DR. VIVEK K BIDARAKAR,
ASSISTANT DIRECTOR,
ANIMAL HUSBANDRY
DIVISION, BENGALURU,
EAST CITY CORPORATION, GBA,
BENGALURU CITY 560036.
AGED ABOUT 39 YEARS,
S/O KASHINATH BIDARAKAR.

...RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R-1;
SRI ARYAN RAO FOR SMT. VAISHALI HEGDE,
ADVOCATES FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) TO QUASH THE FIR IN CRIME NO.153/2026 DATED 09.03.2026 ON THE FILE OF THE 29TH ADDL.CMM COURT, MAYOHALL BENGALURU REGISTERED BY THE 1ST RESPONDENT/MAHADEVAPURA POLICE FOR OFFENCES P/U/S 11 OF PREVENTION OF CRUELTY TO ANIMALS ACT 1960 AND SECTION 240, 325, 270, 61(1) OF THE BNS 2023 IN SO FAR



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

AS THE PETITIONERS/ACCUSED NOS. 1 AND 2 ARE CONCERNED.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

Petitioners - accused Nos.1 and 2, the Officers of the Defence Research and Development Organisation are before this Court calling in question registration of a crime in Crime No.153/2026, pending before the 29th Additional Chief Metropolitan Magistrate Court, Mayo Hall, Bengaluru, for the offences punishable under Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Sections 240, 325, 270 and 61(1) of the BNS.

2. Heard Sri Arvind Kamath, learned Additional Solicitor General of India appearing for the petitioners, Smt. Waheeda M.M., learned High Court Government Pleader for respondent No.1 and Sri Aryan Rao, learned counsel for respondent No.2.



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

3. Owing to the submissions made by Sri Arvind Kamath, learned Additional Solicitor General of India appearing for the petitioners before this Court on 23.06.2026, the following order is passed:

"ORAL ORDER ON I.A.NO.3/2026

Heard Sri Arvind Kamath, learned Additional Solicitor General of India for the petitioners - DRDO and Sri Vinay Venugopal, learned senior counsel for other petitioners, Smt. Vaishali Hegde, learned counsel appearing for respondent No.2 – BBMP and Smt. Neveena Kamath, intervening applicant appearing in-person.

The petitioners, two Estate Officers serving under the august establishment of the Defence Research and Development Organisation (hereinafter referred to as 'DRDO'), stand before this Court calling in question the registration of a crime in Crime No.153 of 2026. The registration of the crime has arisen from circumstances as peculiar as they are unsettling.

The sprawling campus of the DRDO, nestled within the city of Bengaluru, has long been frequented by stray dogs that had, over time, become an inseparable yet silent part of its landscape. These street dogs were not under the formal custody or active supervision of the Estate Officers, nor, for that matter, under the direct charge of any officer of the DRDO.

It transpires that on a particular day, namely 09.03.2026, as many as twenty-one dogs—described in the complaint as street dogs—who were last seen roaming the inner roads of the DRDO campus, suddenly vanished. The complaint, in its simplest articulation, was one of missing dogs. Yet, what initially appeared to be a case of disappearance has gradually assumed more troubling contours. Material placed before the Court



CNR: KAHC010213682026

indicates that the dogs were allegedly removed from the campus in a clandestine and wholly unethical manner, and, to this day, their whereabouts remain shrouded in uncertainty. Thus, the case concerns not merely missing animals, but twenty-one voiceless beings who have disappeared without trace and whose fate remains unknown.

In this backdrop, the petitioners—both Estate Officers of the DRDO—came to be arrayed as accused, alongside accused No.3, described as an unknown person, thereby drawing them into the vortex of a criminal investigation. It is at this juncture that the petitioners have approached this Court seeking judicial intervention.

This Court had, at an earlier stage, granted an order of stay of further investigation. The grant of such interim protection has now prompted the filing of an application seeking vacation of the said interim order.

Sri Arvind Kamath, learned Additional Solicitor General of India, would take this Court through the crime as registered and would submit that the offences invoked against these two Estate Officers are, to put it mildly, wholly preposterous. According to the learned Additional Solicitor General, the invocation of offences concerning fabrication of false evidence under Section 240 of the Bharatiya Nyaya Sanhita, maiming of animals under Section 325, public nuisance under Section 270, and criminal conspiracy under Section 61(1), bears no rational or legal nexus to the acts alleged against the petitioners. The statutory provisions, he submits, cannot even remotely be attracted to the role attributed to these petitioners.

Be that as it may, the learned Additional Solicitor General fairly submits that investigation into the incident itself is both necessary and desirable. The truth as to who entered the DRDO campus, who removed the dogs, and what has become of those twenty-one animals, must undoubtedly be unearthed. His submission, however, is that while investigation into the disappearance of the dogs must proceed, the petitioners cannot, without



CNR: KAHC010213682026

foundational material, be held answerable for what has transpired.

Per contra, Smt. Vaishali Hegde, learned counsel appearing for Bruhat Bengaluru Mahanagara Palike, would refute the aforesaid submissions. She would contend that the DRDO campus is not an open public thoroughfare into which any person may freely walk. Entry into such a secured establishment is necessarily regulated and controlled. Therefore, the questions as to who entered the premises, under whose authority, who removed the dogs, and where those dogs are presently located, are all matters that demand a full and fair investigation. Curiously, this position substantially aligns with the submission of the learned Additional Solicitor General, who too does not oppose investigation into the disappearance of the animals.

The learned State Public Prosecutor-I would submit that while the crime, as presently registered, may suffer from erroneous or excessive invocation of certain penal provisions, that by itself ought not to stultify the investigation. The investigation, according to the learned Prosecutor, must be permitted to proceed so that the truth behind the disappearance of the twenty-one dogs—last seen within the DRDO campus and unseen ever since—may come to light.

In the light of the rival submissions, the contra submissions, and the fair stand adopted by the learned State Public Prosecutor, this Court is of the considered opinion that investigation in Crime No.153 of 2026 ought to be permitted to continue—not necessarily for every offence loosely and indiscriminately invoked in the complaint, but for such offences as may legitimately emerge upon a lawful investigation.

Accordingly, I.A. No.3 of 2026 stands allowed.

The interim order granted on 25.03.2026 stands vacated, subject to the following conditions:

- a. The respondents shall continue investigation in Crime No.153 of 2026, pending before the 29th ACMM Court, Mayohall, Bengaluru, and shall complete such investigation within six weeks from today.



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

- b. Upon completion of investigation, the respondents shall place the final report before this Court prior to filing it before the jurisdictional Court. Only upon leave being granted by this Court shall the final report be presented before the concerned Court.
- c. The petitioners, being Estate Officers of the DRDO, shall not be subjected to harassment, intimidation, or coercive measures on any pretext whatsoever in the garb of investigation.
- d. The petitioners shall extend full cooperation to the investigating agency in aiding the discovery of truth and in assisting the prosecution to unravel the circumstances surrounding the disappearance of the animals.

List this matter **on 11.08.2026 at 2:30 p.m. for further hearing."**

3.1. This Court on 11.08.2026 had passed the following order:

"This Court on 23.06.2026, had passed the following order:

"ORAL ORDER ON I.A.NO.3/2026

Heard Sri Arvind Kamath, learned Additional Solicitor General of India for the petitioners - DRDO and Sri Vinay Venugopal, learned senior counsel for other petitioners, Smt. Vaishali Hegde, learned counsel appearing for respondent No.2 - BBMP and Smt. Neveena Kamath, intervening applicant appearing in-person.

The petitioners, two Estate Officers serving under the august establishment of the Defence Research and Development Organisation (hereinafter referred to as 'DRDO'), stand before this Court calling in question the registration of a crime in Crime No.153 of 2026. The



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

registration of the crime has arisen from circumstances as peculiar as they are unsettling.

The sprawling campus of the DRDO, nestled within the city of Bengaluru, has long been frequented by stray dogs that had, over time, become an inseparable yet silent part of its landscape. These street dogs were not under the formal custody or active supervision of the Estate Officers, nor, for that matter, under the direct charge of any officer of the DRDO.

It transpires that on a particular day, namely 09.03.2026, as many as twenty-one dogs—described in the complaint as street dogs—who were last seen roaming the inner roads of the DRDO campus, suddenly vanished. The complaint, in its simplest articulation, was one of missing dogs. Yet, what initially appeared to be a case of disappearance has gradually assumed more troubling contours. Material placed before the Court indicates that the dogs were allegedly removed from the campus in a clandestine and wholly unethical manner, and, to this day, their whereabouts remain shrouded in uncertainty. Thus, the case concerns not merely missing animals, but twenty-one voiceless beings who have disappeared without trace and whose fate remains unknown.

In this backdrop, the petitioners—both Estate Officers of the DRDO—came to be arrayed as accused, alongside accused No.3, described as an unknown person, thereby drawing them into the vortex of a criminal investigation. It is at this juncture that the petitioners have approached this Court seeking judicial intervention.

This Court had, at an earlier stage, granted an order of stay of further investigation. The grant of such interim protection has now prompted the filing of an application seeking vacation of the said interim order.

Sri Arvind Kamath, learned Additional Solicitor General of India, would take this Court through the crime as registered and would submit that the offences invoked against these two Estate Officers are, to put it mildly, wholly preposterous. According to the learned Additional Solicitor General, the invocation of offences concerning fabrication of false evidence under Section 240 of the Bharatiya Nyaya Sanhita, maiming of animals under Section 325, public nuisance under Section 270, and criminal conspiracy under Section 61(1), bears no



CNR: KAHC010213682026

rational or legal nexus to the acts alleged against the petitioners. The statutory provisions, he submits, cannot even remotely be attracted to the role attributed to these petitioners.

Be that as it may, the learned Additional Solicitor General fairly submits that investigation into the incident itself is both necessary and desirable. The truth as to who entered the DRDO campus, who removed the dogs, and what has become of those twenty-one animals, must undoubtedly be unearthed. His submission, however, is that while investigation into the disappearance of the dogs must proceed, the petitioners cannot, without foundational material, be held answerable for what has transpired.

Per contra, Smt. Vaishali Hegde, learned counsel appearing for Bruhat Bengaluru Mahanagara Palike, would refute the aforesaid submissions. She would contend that the DRDO campus is not an open public thoroughfare into which any person may freely walk. Entry into such a secured establishment is necessarily regulated and controlled. Therefore, the questions as to who entered the premises, under whose authority, who removed the dogs, and where those dogs are presently located, are all matters that demand a full and fair investigation. Curiously, this position substantially aligns with the submission of the learned Additional Solicitor General, who too does not oppose investigation into the disappearance of the animals.

The learned State Public Prosecutor-I would submit that while the crime, as presently registered, may suffer from erroneous or excessive invocation of certain penal provisions, that by itself ought not to stultify the investigation. The investigation, according to the learned Prosecutor, must be permitted to proceed so that the truth behind the disappearance of the twenty-one dogs—last seen within the DRDO campus and unseen ever since—may come to light.

In the light of the rival submissions, the contra submissions, and the fair stand adopted by the learned State Public Prosecutor, this Court is of the considered opinion that investigation in Crime No.153 of 2026 ought to be permitted to continue—not necessarily for every offence loosely and indiscriminately invoked in the complaint, but for such offences as may legitimately emerge upon a lawful investigation.



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

Accordingly, I.A. No.3 of 2026 stands allowed.

The interim order granted on 25.03.2026 stands vacated, subject to the following conditions:

a. The respondents shall continue investigation in Crime No.153 of 2026, pending before the 29th ACMM Court, Mayohall, Bengaluru, and shall complete such investigation within six weeks from today.

b. Upon completion of investigation, the respondents shall place the final report before this Court prior to filing it before the jurisdictional Court. Only upon leave being granted by this Court shall the final report be presented before the concerned Court.

c. The petitioners, being Estate Officers of the DRDO, shall not be subjected to harassment, intimidation, or coercive measures on any pretext whatsoever in the garb of investigation.

d. The petitioners shall extend full cooperation to the investigating agency in aiding the discovery of truth and in assisting the prosecution to unravel the circumstances surrounding the disappearance of the animals.

List this matter on 11.08.2026 at 2:30 p.m. for further hearing."

Pursuant to the afore-quoted orders, investigation has now been concluded and petitioner No.2 is drawn as accused No.2. The charge sheet be filed before the concerned Court.

List this matter on 20.08.2026, in the same stage."

The police did conduct investigation in terms of the liberty so granted by this Court, which culminated in filing the final report only against petitioner No.2 - accused No.2 and the



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

name of petitioner No.1 - accused No.1 is dropped from the array of accused.

4. Since the charge sheet is now filed before the concerned Court dropping petitioner No.1 - accused No.1 and retaining petitioner No.2 - accused No.2 as the sole accused in the proceedings, learned counsel for respondent No.2 would submit that he be reserved liberty to challenge the charge sheet so filed by the police, dropping petitioner No.1 - accused No.1 before the appropriate *fora*, at the appropriate stage.

5. In the light of the investigation has completed and charge sheet is already filed before the concerned Court, I deem it appropriate to dispose the criminal petition recording that petitioner No.1 - accused No.1 is dropped from the array of accused and indeed filed only against petitioner No.2 - accused No.2. Therefore, further proceedings shall continue against petitioner No.2 - accused No.2 only. However, liberty so sought by respondent No.2 shall remain to operate.

6. The application - I.A.No.2/2026 seeking permission to implead the proposed applicant in the case at hand need not be



CNR: KAHC010213682026

NC: 2026:KHC:47138
CRL.P No. 4677 of 2026

considered, at this juncture. Therefore, I.A.No.2/2026 stands disposed.

7. With the aforesaid observations, the criminal petition stands disposed.

Ordered accordingly.

Sd/-
(M.NAGAPRASANNA)
JUDGE

NVJ
List No.: 2 Sl No.: 111