



CNR: KAHC010281032023

NC: 2026:KHC:51924
WP No. 11821 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 11821 OF 2023 (GM-RES)

BETWEEN:

SRI. MANJUNATH
S/O NATARAJ
AGED ABOUT 40 YEARS
R/A NO.10, 2ND CROSS
R.K STREET, SHESADRIPURAM
BANGALORE - 560 020.

...PETITIONER

(BY SRI. SARAVANA S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE STATION HOUSE OFFICER,
MALLESHWARAM POLICE STATION
BENGALURU CITY - 560 003.
REPT. BY ITS HCGP
HIGH COURT OF KARNATAKA BUILDING
BENGALURU - 560 001.
2. SRI. SHEKAR C
S/O CHINNATAMBI
AGED ABOUT 38 YEARS
NO.90, B-H COLONY
YASHWANTHAPUR CIRCLE,
BENGALURU - 560 022.

...RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R1;
R2 - SERVED)

Digitally signed
by
ANNA PURNA G
Location: High
Court of
Karnataka



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THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SEC. 482 OF THE CR.PC PRAYING TO QUASH THE IMPUGNED ORDER AT ANNX-D DTD 19.03.2022 TAKING COGNIZANCE OF THE OFFENCE PUNISHABLE UNDER SECTIONS 341, 323, 506 R/W 34 OF INDIAN PENAL CODE R/W S.3(1)(R)(S) OF THE SC AND ST (PREVENTION OF ATROCITIES) ACT 1989 REGISTERING THE CASE AS SPL CASE IN SP CC NO. 773/2022 ON THE FILE OF THE LXX ADDL CITY CIVIL AND SESSION JUDGE AND SPECIAL JUDGE BENGALURU AND ISSUING PROCESS TO THE PETITIONER IN PURSUANCE OF CHARGE SHEET FILED BY THE R-1 POLICE IN CRIME NO. 1/2022 FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 341, 323, 506 R/W 34 OF INDIAN PENAL CODE R/W S.3(1)(R)(S) F THE SC AND ST (PREVENTION OF ATROCITIES) ACT 1989 CONSEQUENTLY QUASH THE ENTIRE PROCEEDINGS PENDING THERE ON, IN SO FAR PETITION CONSIDER AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri.Saravana S., learned counsel for the petitioner and Smt.Waheeda M. M., learned High Court Government Pleader for respondent No.1.

2. Petition is filed under Article 226 of the Constitution of India read with Section 482 of Criminal Procedure Code with the following prayer:



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"Wherefore, the petitioner most humbly prays that this Hon'ble Court be pleased to;

a. Issue a writ of appropriate nature to quash the impugned order at Annexure-D, dated 19.03.2022, taking cognizance of the offence punishable under Sections 341, 323, 506 read with Section 34 of Indian Penal Code read with Sections 3(1)(r)(s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 registering the case as Spl.Case in Superintendent of Police.C.C.No.773/2022 on the file of the LXX Additional City Civil and Sessions Judge and Special Judge Bengaluru and issuing process to the petitioner in pursuance of the charge sheet filed by the 1st respondent police in Crime No.1/2022 for the offence punishable under Sections 341, 323, 506 read with Section 34 of Indian Penal Code read with Section 3(1)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989 consequently quash the entire proceedings pending thereon and insofar as petitioner is concerned.

b. Pass such other orders as this Hon'ble Court deems fit and proper under the circumstance of the case."

3. Facts of the case are as under:

3.1. Second respondent lodged a complaint with Malleshwaram Police Station on 02.01.2022 which came to be



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registered in Crime No.1/202 for the offences punishable under Sections 3(1)(r), 3(1)(s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 and Sections 341, 323, 506 read with Section 34 of Indian Penal Code, 1860.

3.2. Gist of the complaint averments would reveal that vaccination program in respect of Covid-19 was arranged in Malleshwaram Government School, Open Space. Present petitioner namely Sri.Manjunath who was a camera man in 'Bengaluru One News', along with the reporters has visited the said place for covering the news.

3.3. At that juncture, there was an altercation where under the complainant had questioned the petitioner and the reporter as to why there are filming the vaccination administered to the all people gathered there including women.

3.4. In the said altercation, petitioner herein said to have abused the complainant and the lady taking out her caste name so as to degrade her in the public view. Altercation took into a rough situation where under there was also physical assault to the complainant.



3.5. Police based on the said complaint, registered the case as aforesaid and are investigating the matter.

4. Petitioner has approached this Court on the ground that petitioner being the camera man and total stranger to the complainant and the lady who was with the complainant for the purpose of vaccination and as such, there cannot be any attribution of intent with regard to the offences under the provisions of SC/ST Act and entire incident is a imaginary incident and while filming the entire vaccination program, if by mistake, the filming has also taken place with the alleged women, that would not constitute a offence as registered by the police and continuation of the proceedings would amount to abuse of process of law.

5. Respondent No.2 is served with the notice of the petition and remained absent.

6. Learned High Court Government Pleader would contend that case has to proceed as intentionally present petitioner has filmed the obscene scene while vaccination



program was in progress and thus sought for dismissal of the petition.

7. Having heard the arguments of both the parties, this Court noted the material on record.

8. Admittedly, petitioner had visited the place of incident for the purpose of covering the vaccination program and there was no premeditation. While so filming, per chance if the petitioner has filmed the alleged lady while taking the vaccination, it would not *per se* amount of obscene capturing of the image.

9. Moreover, as is rightly contended by the petitioner, petitioner being the stranger, invoking the provisions of SC/ST Act is totally uncalled for.

10. There is no other material on record apart from the complaint averments to proceed against the petitioner herein. Thus, a case is made out that continuation of the proceedings would amount to abuse of process of law.



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11. Hence, following:

ORDER

- i. Petition is ***allowed***.
- ii. Pending proceedings in Spl.C.C.No.773/2022 on the file of LXX Additional City Civil and Sessions Judge, Bengaluru registered in Crime No.1/2022 dated 02.01.2022 by Malleshwaram Police Station for the offence punishable under Sections 3(1)(r), 3(1)(s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 and Sections 341, 323, 506 read with Section 34 of Indian Penal Code, 1860 is hereby quashed.

Sd/-
(V SRISHANANDA)
JUDGE

KAV
List No.: 1 Sl No.: 70