HC-KAR

NC: 2026:KHC:55575
CRL.A No. 993 of 2015

CNR: KAHC010388192015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO. 993 OF 2015 (A)

BETWEEN:

SRI TYAGARAJANAGAR CREDIT CO OP SOCIETY LTD.,
REPRESENTED BY ITS SECRETARY,
SMT. K. NAGARATHNA,
HINDU, MAJOR
NO.258/1, 1ST FLOOR, 3RD CROSS
K.S.COLONY, 2ND BLOCK,
THYAGARAJANAGAR,
BANGALORE - 560 028.

...APPELLANT

(BY SRI. S.P. SATHISH, ADVOCATE)

AND:

Digitally signed by REKHA R
Location: High Court of Karnataka

SMT. ROSELINE PRABHAVATHY,
W/O LATE PRAKASH,
MAJOR, NO.43,
RAMAKRISHNA REDDY BUILDING,
SARAKKI VILLAGE,
BANGALORE - 560 064.

...RESPONDENT

(BY SRI. A.V. RAMAKRISHNA, ADVOCATE)

THIS CRL.A. IS FILED UNDER SECTION 378(4) CR.P.C, 1973, BY THE SPP AND ADVOCATE FOR THE APPELLANT PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO SET

ASIDE THE JUDGMENT DATED 02.05.2015 PASSED BY THE XXXVIII ADDL. C.M.M. AND XII A.S.C.J, BENGALURU IN C.C.No.14469/2012 ACQUITTING THE RESPONDENT/ACCUSED FOR THE OFFENCE P/U/S 138 OF N.I. ACT AND ETC.,

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

Learned counsel for the appellant has filed a memo. Same reads as under:

"***MEMO***

The appellant most respectfully submits that, since the acquittal judgment passed by Hon'ble Magistrate 38 ACMM at Bengaluru. Hence, recent judgment this appeal may be remand to jurisdiction Sessions Court, in the interest of justice and equity."

Memo is taken on record.

Keeping in mind the judgment of the Hon'ble Supreme Court in the case of CELESTIUM FINANCIAL v. A

GNANASEKARAN ETC. reported in 2025 SCC ONLINE SC 1320, this appeal stands ***disposed of*** transferring the case to concerned District Court for disposal.

The Registry is directed to send copy of this judgment along with Trial Court Records to the concerned Court.

The concerned Principal District and Sessions Judge, is directed to issue notice to both parties and fix the date to appear before the Court, and thereafter to dispose of the case in accordance with law.

Sd/-
(G BASAVARAJA)
JUDGE

RR
List No.: 1 Sl No.: 14