

The State of Karnataka vs Siddalingaiah

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Court : Karnataka

Decided On : Dec-11-2025

Judge : G Basavaraja

Appeal No. : CRL.A/1367/2019

Appellant : The State of Karnataka

Respondent : Siddalingaiah

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF DECEMBER, 2025 BEFORE THE HON'BLE MR. JUSTICE G BASAVARAJA CRIMINAL APPEAL NO. 1367 OF 2019 (A) BETWEEN: THE STATE OF KARNATAKA, BY BESCOM VIGILANCE, RAJAJINAGAR POLICE STATION, BENGALURU REPRESENTED BY STATE PUBLIC PROSECUTOR, HIGH COURT BUILDING, BENGALURU-560001. APPELLANT (BY SRI RANGASWAMY R, HCGP) AND: SIDDALINGAIAH, S/O MARIYAPPA, ELECTRIC CONTRACTOR, NO.22, 11TH CROSS, SANJAYANAGARA,

Digitally BENGALURU - 560032.signed by C

SAB NOTICE TO RESPONDENT) Location: HIGH COURT OF THIS CRL.A IS FILED U/S 378(1) AND (3) CR.PC BY THE KARNATAKA SPP FOR THE STATE PRAYING THAT THIS HONBLE COURT MAY BE PLEASED TO GRANT LEAVE TO APPEAL AGAINST THE

JUDGMENT AND ORDER OF ACQUITTAL DATED 16.03.2019,

PASSED BY THE LXX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AND SPL.JUDGE, BENGALURU CITY PASSED IN SPL.C.C.NO.199/2015, ACQUITTING THE ACCUSED FOR THE OFFENCE P/U/S 138 OF THE INDIAN ELECTRICITY ACT. THIS APPEAL, COMING ON FOR ORDERS THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

-2- CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

Heard the appeal on Admission.

2. The State has preferred this appeal against the

judgment of acquittal passed by the LXX Additional City Civil

and Sessions Judge and Special Judge, Bengaluru in Special C.C.No.199/2015 dated 16.03.2019.

3. The brief facts leading to this appeal is that the

Police Inspector of BESCOM Vigilance, Rajajinagar Police Station, submitted a charge sheet against the accused for the offence under Sections 138 and 150 of The Electricity Act, 2003 (for short 'Act of 2003').

4. It is alleged by the prosecution that on

18.01.2014 at about 1.00 P.M. when C.W.1 along with staff visited to house No.461 which belongs to C.W.6 situated at High Tension Road, Rajeshwari

Nagara, Laggere, Bangalore, found three unauthorised meters and by using that meters the consumers committed theft of electricity. It is alleged -3-

that accused Siddalingaiah who was working as an Electrical Contractor has done electrical work of the house of C.W.6 and installed 3 additional unauthorised meters and facilitated C.W.6 and other consumers to commit theft of electricity. Based on the first information statement lodged by C.W.1, the case in Crime No.10/2014 is registered against the accused. As accused No.2 has deposited BBC amount and compounding the amount, accused No.2 is left out in the charge sheet and accused No.2 is cited as witness as C.W.6. The Investigating Officer after collecting all the materials and after completion of investigation has submitted the charge sheet against the accused for the offence under Sections 138 and 150 the Act of 2003.

5. On hearing the charges, the Trial Court has

framed the charge for the offence under Section 138 of the Act of 2003 and same was read over and explained to the accused. Accused/respondent pleaded not guilty and claimed to be tried. -4-

6. To prove the guilt of the accused, in all 6 witnesses were examined as P.W.1 to P.W.6. 13 documents were marked as Ex.P1 to P13 and 5 documents of material objects are marked as M.O.No.1 to 5.

7. On closure of prosecution, said evidence,

statement under Section 313 of Cr.P.C. is recorded. Accused has denied all the incriminating evidence appearing against him. However, accused did not lead any defence evidence on his behalf. Having heard the arguments on both side, Trial Court has acquitted the accused. Being aggrieved by the

judgment of acquittal, the State has preferred this appeal.

8. I have carefully examined the materials placed before this Court. In paragraph No.15, the Trial Court has appreciated the evidence on record and has come to the

conclusion that prosecution has failed to prove the guilt of

the accused beyond all reasonable doubt. On re-examination of entire materials on record, I do not find any factual or legal error in acquitting the accused. Hence, I proceed to pass the following order. -5-

9. Appeal is dismissed as devoid of merits.

10. In view of the disposal of the main appeal, IA No.1/2019 is also dismissed.
Sd/- (G BASAVARAJA) JUDGE GVP List No.: 1 SI No.: 3

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