HC-KAR
NC: 2026:KHC:60948
CRL.P No. 13723 of 2026
CNR: KAHC010615622026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO.13723 OF 2026

BETWEEN:

1. DR. P. GOWRI SHANKAR
   S/O LATE P. SURYANARAYANA
   AGED ABOUT 50 YEARS
   R/AT NO. KALINGA MANE
   CHURCHIHAKKALU GUDDEKERE POST
   NEAR HASIRUMANE AND AVAREMANE
   THIRTHAHALLI TALUK
   SHIVAMOGGA – 577411.

...PETITIONER

(BY SRI. AKSHAY SWAMY, ADV.,)

AND:

1. STATE OF KARNATAKA BY
   RANGE FOREST OFFICER
   AGUMBE RANGE, MEGARAVALLI
   SHIVAMOGGA
   REP. BY STATE PUBLIC PROSECUTOR
   SPP OFFICE, HIGH COURT BUILDING
   KARNATAKA HIGH COURT
   AMBEDKAR VEEDHI, BENGALURU 560009.

...RESPONDENT

(BY SRI. M.V. ANOOP KUMAR, ADDL. SPP FOR R1)

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RAMNATH HEGDE

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THIS CRL.P IS FILED U/S.482 (FILED U/S.528 BNSS) CR.P.C. PRAYING TO SET ASIDE THE ORDER TAKING COGNIZANCE DATED 01.07.2026 IN C.C.NO.414/2026 AS AGAINST THE PETITIONER/ACCUSED FOR THE OFFENCE P/U/S 2(1)(16), 9, 50, 51, 55 AND 57 OF WILDLIFE PROTECTION ACT 1972 REGISTERED BY THE RANGE FOREST OFFICER, AGUMBE RANGE, MEGARVALLI PENDING ON THE FILE OF THE LEARNED SENIOR CIVIL JUDGE AND JMFC THIRTHALLI (PRODUCED VIDE ANNEXURE A) AND CONSEQUENTLY QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.414/2026 PENDING ON THE FILE OF THE LEARNED SENIOR CIVIL JUDGE AND JMFC, THIRTHAHALLI (PRODUCED VIDE ANNEXURE A) IN THE INTEREST OF JUSTICE & ETC.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel for the petitioner and the learned Additional State Public Prosecutor for the respondent.

2. This petition is filed to quash the proceedings in C.C.No.414/2026 registered for the alleged offences under Section 2(1)(16), 9, 50, 51, 55 and 57 of the Wildlife Protection Act, 1972.

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3. The complaint is lodged by Range Forest Officer, Agumbe Range, Megaravalli. The case is pending before the Court of JMFC, Thirthahalli.

4. Learned counsel appearing for the petitioner would submit that the complaint is lodged on 26.09.2025 alleging that the petitioner has captured a king cobra and has taken its photograph while in captivity and also allowed others to take photographs of the king cobra in captivity and the same amounts to offences under the provisions of the Wildlife Protection Act, 1972.

5. Learned counsel for the petitioner would submit that the charge sheet materials do not disclose that the petitioner has hunted the king cobra referred to in the charge sheet.

6. It is the submission that even going by the photographs produced by the respondent-State, the king cobra was found in an open forest and not in captivity.

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7. It is further submission that, many a times petitioner was called upon to rescue the king cobra and the snakes and also the people in whose residence, the snakes have gained entry. Whenever petitioner has captured the king cobra or the snakes for rescuing the same, he has reported the same to the jurisdictional forest officer and acknowledgments have been issued by the jurisdictional forest officers in this behalf.

8. It is further submission that the complaint is filed based on the social media publication where the petitioner was found in a video uploaded by a third person.

9. Learned counsel would submit that the police, after investigation, have not captured any king cobra from the custody of the petitioner and have only recovered the snake rescue bag and rescue hook. Thus, it is the contention that there are no materials to take a view that

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the petitioner has committed the offences referred to above and would urge that the proceedings have to be quashed.

10. Learned Additional State Public Prosecutor appearing for the respondent-State would submit that the charge sheet materials would indicate that the petitioner has allowed the others to take the photograph of the king cobra and has caused the uploading of the said photographs and videographs in the social media and the same amounts to the offence.

11. This Court has considered the contentions raised at the bar and perused the records.

12. From the contents of the complaint dated 26.09.2025, it is noticed that the allegation is that the petitioner in the past had captured a king cobra and has taken its photograph and has allowed others to take the photographs.

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13. It is not the allegation of the respondent-State that the petitioner has kept the king cobra in captivity. It is not the allegation that the king cobra is killed or injured by the petitioner. It is not the allegation that the photograph is uploaded by the petitioner.

14. The Court is of the view that the respondent-State is not in a position to substantiate that the king cobra was actually captured by the petitioner. What is seen from the photographs produced along with the charge sheet is that the king cobra was found in the forest in an open space and it was not kept in captivity. And those photographs are found to be published in social media. The photographs are not recovered from the petitioner.

15. It is also noticed from the charge sheet materials that on umpteen occasions, the petitioner has

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reported to the jurisdictional forest officers about the king cobras he has rescued.

16. That being the position, the Court cannot take a view that the petitioner has committed any of the offences as alleged in the complaint.

17. Hence, the following:

ORDER

i. The petition is ***allowed.***

ii. The proceedings in C.C.No.414/2026 registered for the alleged offences under Section 2(1)(16), 9, 50, 51, 55 and 57 of the Wildlife Protection Act, 1972, registered by the Range Forest Officer, Agumbe Range, Megaravalli, pending on the file of the Senior Civil Judge and JMFC, Thirthahalli, are quashed.

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(ANANT RAMANATH HEGDE)
JUDGE

BSR/List No.: 1 Sl No.: 53