

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪೊಲೀಸ್
KARNATAKA STATE POLICE

ಪ್ರಥಮ ವರ್ತಮಾನ ವರದಿ

FIRST INFORMATION REPORT

ಗೌರವಾನ್ವಿತ LXXXI ACC & SJ, Bengaluru Special Court exclusively deal with criminal cases related to elected former and sitting MPs/MLAs in the state of Karnataka(CCH 82).

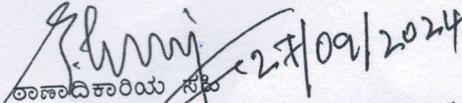
ನ್ಯಾಯಾಲಯದ ನ್ಯಾಯಾಧೀಶರವರ ಸನ್ನಿಧಾನಕ್ಕೆ ಬಿಂಗಲೂರು

Under Section 154 Cr.P.C.

1	ಪೊಲೀಸ್‌ಠಾಣೆ:	ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಮೈಸೂರು ಠಾಣೆ	ವೃತ್ತ: ಮೈಸೂರು. Circle:	ತಾಲ್ಲೂಕು : -- Taluk
	ಜಿಲ್ಲೆ : ಮೈಸೂರು District		ಅಪರಾಧ ಸಂಖ್ಯೆ : 11/2024 Crime No.	ದಿನಾಂಕ: 27-09-2024 Date:
2	(i)ಕಲಂ Section	120 B, 166, 403, 406, 420, 426, 465, 468, 340, 351	ಕಾಯ್ದೆ Act	ಭಾರತೀಯ ದಂಡ ಸಂಹಿತೆ
	(ii)ಕಲಂ Section	9, 13	ಕಾಯ್ದೆ Act	ಭ್ರಷ್ಟಾಚಾರ ಪ್ರತಿಬಂಧಕ ಕಾಯಿದೆ 1988
	(iii)ಕಲಂ Section	3, 53 & 54	ಕಾಯ್ದೆ Act	ಬೇನಾಮಿ ಆಸ್ತಿ ವಹಿವಾಟು ತಡೆ ಕಾಯಿದೆ 1988.
	(iv)ಕಲಂ Section	3, 4	ಕಾಯ್ದೆ Act	ಕರ್ನಾಟಕ ಭೂ ಕಬಳಕೆ ನಿಷೇಧ ಕಾಯಿದೆ 2011.
	(iii)ಇತರೆ ಕಲಂ ಮತ್ತು ಕಾಯ್ದೆ Other Sections and Acts		--	--
3	(a) ಅಪರಾಧ ನಡೆದ ದಿನ: Occurrence of Offence		ದಿನಾಂಕ Date	27-10-1968 ರಿಂದ 09-11-2023 ಸಮಯ -- Time
	(b) ವರ್ತಮಾನ ಸ್ವೀಕರಿಸಿದ ಠಾಣೆ. Information received at PS	ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಮೈಸೂರು ಠಾಣೆ		ಬರವಣಿಗೆ/ಹೇಳಿಕೆ: ಗಣಕೀಕೃತ ನ್ಯಾಯಾಲಯದ ನಿರ್ದೇಶಿತ ಖಾಸಗಿ ದೂರು : 28/2024
	(c) ಪಿರ್ಯಾದುದಾರ/ವರದಿಗಾರನಿಂದ ವರದಿ ತಡವಾದುದಕ್ಕೆ ಕಾರಣ Reasons for delay in reporting to the Complainant/Informant		--	--
	(d) ಸಾಮಾನ್ಯ ದೈರಿಯ ಉಲ್ಲೇಖ ಸಂಖ್ಯೆ ಮತ್ತು ಸಮಯ General Diary reference Entry No & Time		ದಿನಾಂಕ 27-09-2024,	ಮದ್ಯಾಹ್ನ 01.15 ಗಂಟೆ
4	(a) ಕೃತ್ಯ ನಡೆದ ಸ್ಥಳ ಮತ್ತು ಪೂರ್ಣ ವಿಳಾಸ Place of Occurrence with full address		ಸರ್ವೆ ನಂ 462, 464, ಕೆಸರೆ ಗ್ರಾಮ, ಮೈಸೂರು ತಾಲ್ಲೂಕು, ಮತ್ತು ಮೈಸೂರು ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ, ಮೈಸೂರು.	
	(b) ಪೊಲೀಸ್ ಠಾಣೆಯಿಂದ ಇರುವ ದೂರ Distance from PS		ಸುಮಾರು 1 ಕಿ.ಮೀ. ಇತ್ತೀಚೆಗೆ	
	(c) ಸ್ಥಳವು ಬೇರೆ ಪೊಲೀಸ್ ಠಾಣೆ ವ್ಯಾಪ್ತಿಗೆ ಬರುವಂತಹದ್ದು ಆದರೆ ಪೊ. ಠಾ. ಹೆಸರು If the place belongs to another jurisdiction Name of the PS		-	ಜಿಲ್ಲೆ - District

5	ಪಿಯಾದುದಾರ/ವರದಿಗಾರ/Complainant/Informnant		
(a) ಹೆಸರು Name:	ಶ್ರೀ ಸ್ನೇಹಮಯಿ ಕೃಷ್ಣ	ತಂದೆಯ/ಗಂಡನ ಹೆಸರು:Father's/Husband's Name	ಲೇಟ್ ಎಲ್. ಸಿದ್ದಪ್ಪ
(b) ವಯಸ್ಸು Age	54 ವರ್ಷ,	(c)ಉದ್ಯೋಗ Occupation	ಪತ್ರಕರ್ತ ಮತ್ತು ಸಾಮಾಜಿಕ ಹೋರಾಟಗಾರ,
(d) ಜಾತಿ Caste	-	(e) ರಾಷ್ಟ್ರೀಯತೆ Nationality	ಭಾರತೀಯ,
(f) ರಹದಾರಿ ಪತ್ರ ಸಂಖ್ಯೆ/Passport No --	ಪಡೆದ ದಿನಾಂಕ/Date of Issue		
(g) ವಿಳಾಸ/Address :	ಮ.ನಂ.335, ಬಂಡಿಪಾಳ್ಯ, ಗಣಪತಿ ಅಶ್ರಮ ರಸ್ತೆ, ಮೈಸೂರು		
(h) ಫಿಯಾದುದಾರ ಖುದ್ದಾಗಿ ನೋಡಿದ್ದರೆ ಅಥವಾ ಕೇಳಿಸಿಕೊಂಡಿದ್ದರೆ : ಪಿಯಾದುದಾರರು ದಾಖಲಾತಿಗಳೊಂದಿಗೆ ಖಾಸಗಿ Whether Complainant has seen the occurrence or merely heard of it : ದೂರನ್ನು ಘನ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಸಲ್ಲಿಸುತ್ತಾರೆ.			
6	ಗೊತ್ತಾದ/ಅನುಮಾನಿತ/ಗೊತ್ತಿಲ್ಲದ ಅಪರಾಧಿಯ ಪೂರ್ಣ ವಿವರ (ಅವಶ್ಯವಿದ್ದಲ್ಲಿ ಪ್ರತ್ಯೇಕ ಹಾಳೆ ಲಗತ್ತಿಸಿ) Details of known suspected/Unknown accused with full particulars (Attach separate sheet if necessary)		
	<ol style="list-style-type: none"> 1. ಶ್ರೀ. ಸಿದ್ದರಾಮಯ್ಯ ಬಿನ್ ಸಿದ್ದರಾಮೇಗೌಡ, ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳು, ಕರ್ನಾಟಕ ಸರ್ಕಾರ, 75 ವರ್ಷ, ವಾಸ: "ಕೃಷ್ಣ", ರೇಸ್ ಕೋರ್ಸ್ ರಸ್ತೆ, ಬೆಂಗಳೂರು. 2. ಶ್ರೀಮತಿ ಪಾರ್ವತಿ.ಬಿ.ಎಂ ಕೋಂ ಸಿದ್ದರಾಮಯ್ಯ, 65 ವರ್ಷ, ವಾಸ: 206, 16 ನೇ ಕ್ರಾಸ್, ಎಂ.ಸಿ ಲೇಔಟ್, ವಿಜಯನಗರ, ಬೆಂಗಳೂರು. 3. ಶ್ರೀ. ಮಲ್ಲಿಕಾರ್ಜುನ ಸ್ವಾಮಿ, ಬಿನ್ ಲೇಟ್ ಮರಿಲಿಂಗಯ್ಯ, 68 ವರ್ಷ, ವಾಸ: 1245, 3ನೇ ಮೇನ್, ಕಾಂತರಾಜ ಅರಸ್ ರಸ್ತೆ, ತೋಟಕೊಪ್ಪಲು, ಮೈಸೂರು. 4. ಶ್ರೀ. ದೇವರಾಜು.ಜಿ, ಬಿನ್ ನಿಂಗ @ ಜವರ, 70 ವರ್ಷ, ವಾಸ: 117, 1ನೇ ಮುಖ್ಯರಸ್ತೆ, 10ನೇ ಕ್ರಾಸ್, ಕೆ.ಎಸ್ ಟೌನ್, ಬೆಂಗಳೂರು. 5. ಮತ್ತು ಇತರರು. 		
7	ಕಳವು ಮಾಲಿನ/ಅಫರಾದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ವಸ್ತುವಿನ ವಿವರ ಮತ್ತು ಬೆಲೆ (ಅವಶ್ಯವಿದ್ದಲ್ಲಿ ಹಾಳೆ ಲಗತ್ತಿಸಿ) -- Particulars of Property stolen/involved with value (Attach separate sheet if necessary)		
8	ಪಂಚನಾಮೆ ವರದಿ/ಯು.ಡಿ. ಕೇಸ್ ನಂ. (ಇದ್ದಲ್ಲಿ ಮಾತ್ರ) --- Inquest Report/U.D.Case No. if any		
9	ಎಫ್.ಐ.ಆರ್. ಅನುಸೂಚಿ F.I.R Contents (Attach separate Sheet if necessary) ನಿವೇದನೆ: ಶ್ರೀ ಸ್ನೇಹಮಯಿ ಕೃಷ್ಣ ರವರು ಮಾನ್ಯ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಪಿ.ಸಿ.ಆರ್ ನಂ 28/2024 ರ ರೀತ್ಯಾ ಸಲ್ಲಿಸಿರುವ ಖಾಸಗಿ ದೂರಿನ ಯಥಾಪ್ರತಿಯನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಲಗತ್ತಿಸಿದೆ.		
10	(a) ಶ್ರೀ ಉದೇಶ.ಟಿ.ಜಿ, ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಮೈಸೂರು ವಿಭಾಗ, ಮೈಸೂರು ಆದ ನಾನು ಪ್ರಕರಣ ದಾಖಲಿಸಿ ತನಿಖೆ ಕೈಗೊಂಡಿರುತ್ತೇನೆ. (b)ಎಫ್.ಐ.ಆರ್. ಅನ್ನು ಫಿಯಾದಿಗೆ ಹೇಳಿ ಅವನ/ಅವಳ ಭಾಷೆಯಲ್ಲಿಯೇ ವಿವರಿಸಿದೆಯೇ ಮತ್ತು ಉಚಿತವಾಗಿ ಒಂದು ಪ್ರತಿಯನ್ನು ನೀಡಿದೆಯೇ? Is the FIR read over and explained in his/her language to the Complainant and a copy given to the Complainant free of cost ಪಿಯಾದುದಾರರಿಗೆ ಪ್ರತಿಯನ್ನು ನೀಡಲಾಗುವುದು.		
11	ಯಾವುದೇ ಕಾರಣದಿಂದ ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯು ಅಪರಾಧ ಸ್ಥಳಕ್ಕೆ ಹೋಗದಿದ್ದಲ್ಲಿ ಅಥವಾ ಸಿ.ಆರ್.ಪಿ.ಸಿ ಕಲಂ 157 ವಿಧಿ ಬಿ ಅಥವಾ (ಆ) ಅಡಿ ತನಿಖೆ ಮಾಡಲು ನಿರಾಕರಿಸಿದ್ದಲ್ಲಿ ಅದನ್ನು ಇಲ್ಲಿ ಕಾಣಿಸುವುದು. If the Police Officer does not proceed to the spot for investigation or if he declines to investigate U/S 157 Cr.P.C. proviso (a) or (b) the reason there of should be mentioned		

	ಕಲಂ 156(3) ಸಿ.ಆರ್.ಪಿ.ಸಿ ರೀತ್ಯಾ ಮಾನ್ಯ ನ್ಯಾಯಾಲಯ ತನಿಖೆ ಕೈಗೊಳ್ಳಲು ನಿರ್ದೇಶಿಸಿದ ಮೇರೆಗೆ ತನಿಖೆ ಕೈಗೊಳ್ಳಲಾಗುವುದು.
12	ಪಿರಿಯಾದುದಾರರ/ಬಾತ್ಮಿದಾರರ ಸಹಿ/ಹೆಚ್ಚಿಟ್ಟಿನಗುರುತು Signature/Thumb impression of the Complainant/Informant ಮಾನ್ಯ ನ್ಯಾಯಾಲಯ ನಿರ್ದೇಶನದಂತೆ ಪ್ರಕರಣ ದಾಖಲಿಸಲಾಗಿರುತ್ತದೆ.
13	ಕೋರ್ಟಿಗೆ ಕಳುಹಿಸಿದ ದಿನಾಂಕ ಮತ್ತು ಸಮಯಕೊಂಡೊಯ್ದು ಪಿ.ಸಿ/ಹೆಚ್.ಸಿ.ಯ ಹೆಸರು. ಶ್ರೀ ಪುಟ್ಟೇಗೌಡ. ಸಿ.ಪಿ.ಸಿ ರವರೊಂದಿಗೆ ದಿನಾಂಕ: 27-09-2024 ರಂದು ಮದ್ಯಾಹ್ನ 02-30 ಗಂಟೆಗೆ ಕಳುಹಿಸಿಕೊಟ್ಟಿರುತ್ತದೆ. Date and Time of dispatch to the court, Name of the PC/HC who carried FIR to the court.

14  27/09/2024
ಹಾಣಾಧಿಕಾರಿಯ ಸಹಿ
Signature of the Officer-in-charge of Police Station

Name/ಹೆಸರು ಶ್ರೀ ಉದೇಶ.ಐ.ಜಿ

Rank/ಹುದ್ದೆ: ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು
ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು
ಪೊಲೀಸ್ ವಿಭಾಗ
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ
ಮೈಸೂರು ವಿಭಾಗ, ಮೈಸೂರು

15 ಪ್ರತಿಗಳು:-
Copy to

1. ಮಾನ್ಯ ಅಪರ ಪೊಲೀಸ್ ಮಹಾನಿರ್ದೇಶಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಬೆಂಗಳೂರು ರವರಿಗೆ
2. ಮಾನ್ಯ ಪೊಲೀಸ್ ಮಹಾನಿರ್ದೇಶಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರಿಗೆ
2. ಪಿರಿಯಾದುದಾರರಿಗೆ/ಹಾಣಾ ಕಡತಕ್ಕೆ.

ಎಫ್.ಐ.ಆರ್‌ನ ಕ್ರಮ ಸಂಖ್ಯೆ 9 ಮುಂದುವರೆದಿದೆ

PCR No.28/2024

**COMPLAINT UNDER SECTION 200 OF CRPC READ WITH SECTION 223
OF BNSS**

[Code of Criminal Procedure hereinafter referred to as 'CrPC']

[Indian Penal Code hereinafter referred to as 'IPC']

[The Bharatiya Nagarik Suraksha Sanhita hereinafter referred to as 'BNSS']

[The Bharatiya Nyaya Sanhita hereinafter referred to as 'BNS']

The Complainant most humbly submits as follows:

1. The addresses of the parties for the purpose of issuance of summons and notices from this Hon'ble Court is as shown in the cause title. The Complainant may also be served through his Counsels, Sri. Vasantha Kumara & Associates, O/at #91, 1st Floor, 5th Block, Serpentine Road, Near Thallam Residency, Kumara Park West, Bengaluru 560 020, PH: 9480300045, email ID:advocatevasanthakumara@gmail.com
2. The Complainant is a public spirited person and a social worker who has pursued various causes in the interest of society at large. The Complainant is also a well-known journalist, film maker and a celebrated film director.

BACKGROUND OF THE CASE

3. To begin with, as per the revenue documents available, in the year of 1935, one late Sri. Ninga @ Jawara had purchased 3 Acres 16 Guntas of land sy. no. 464 of Kasare village, Kasaba hobli, Mysuru taluk by way of auction and consequently claimed ownership thereto. Thereafter his name is reflecting in the RTC of the said survey number. The copy of the sale certificate and the RTC standing in the name of late Sri. Ninga is appended to this Petition and marked as Document no. 1 & 2.
4. Further on 27.10.1968, the three sons of late Sri. Ninga, namely - Sri. Mallaiah, Sri. Mylaraiah and Sri. Devaraju executed a registered relinquish deed. Whereby Sri. Mallaiah and Sri. Devaraju relinquished their rights in sy. no. 462 and 464 to their brother Sri. Mylaraiah. Thereafter the said Sri. Mylaraiah became the true owner of the said property as per the documents. The copy of the registered relinquish deed is marked and produced herewith as Document no. 3.

5. Thereafter it appears from the documents that within a lapse of few years, i.e in the year of 1973, the said Sri. Mylaraiah executed a mortgage deed dated 13.08.1973 in favor of one late Sri. Venkatappa with respect to 3A 16G of land in sy. no. 464 and 37G of land in sy. no. 462 for a consideration to the tune of Rs. 1,000/-. The copy of the said mortgage deed is produced herewith as Document no. 4
6. The Government of Karnataka in the year 1991 by exercising the powers conferred on it under section 71 of the Karnataka Urban Development Authorities Act, 1987 (hereinafter referred to as the 'Act'] has brought into force the, 'Karnataka Urban Development Authorities (Incentive Scheme for voluntary surrender of land) Rules, 1991 (hereinafter referred to as the '1991 Rules']]. They have come into force pursuant to the Government Order dated 29.1.1994 retrospectively from the year 1991. The said Rules have laid down a framework facilitating the allotment of compensatory sites to the landowners who have voluntarily surrendered the sites to concerned Urban Development Authority. The Annexure to the said Rules have formulated scheme for allotment of compensatory sites in proportion to the extent of land acquired by the jurisdictional Urban Development Authority. The copy of the said Rules is produced as Document no. 5 for the kind perusal of this Hon'ble Court.
7. Thereafter on 27.08.1992, the said Smt. Puttamma, W/o. Sri. Venkatappa, executed a registered mortgage release deed for 37G of land in sy. no. 462 and 3A 16G of land in sy. no. 464 of Kasare village, Kasaba hobli, Mysuru Taluk, in favour of Sri. M Manjunatha Swamy, who is none other than the son of late Sri. Mylaraiah. The copy of the said deed is marked and produced herewith as Document no. 6.
8. Thereafter, in a very short period of time, the Government of Karnataka under the provisions of the Land Acquisition Act has issued notification for acquisition of land for the development of Devanuru 3rd phase layout by the Mysuru Urban Development Authority ('MUDA' for short) wherein 3A 16G of land in sy. no. 464 found a place. But however for the reasons best known to the officials MUDA, the name of late Sri. Ninga, who was deceased at the time of issuance of Preliminary Notification gets reflected therein.
9. The Accused no. 4 who had relinquished his rights over sy. no. 462 & 464 of Kasare village in the year 1968 itself and thereby did not have any title over the said property. But however and with a malafide intention to unlawfully enrich himself, on 13.08.1996 writes to the then Minister of Urban Development wherein he has stated falsehood and suppressed

material facts and thereby sought to de-notify the said land from the acquisition proceedings. Accordingly the Commissioner of MUDA conspiring with the Accused no. 4, on 30.08.1997 by assigning untenable reasons communicated to the Government the decision of MUDA to not acquire the land in question. The copy of the requisition made by Accused no. 4 and the communication made by the Commissioner of MUDA is annexed as Document no. 7 and 7.1 respectively.

10. Further, very strangely after the initiation of the acquisition proceedings Sri. Mallaiah S/o. Ninga, Sri. Manjunath Swamy S/o. Mylaraiah and Smt. Puttagowramma W/o. late Sri. Mylariah have consented to change the katha of 3A 16G of land in sy. no. 464 and 37G of land in sy. no. 462 in favor of the Accused no. 4. Then on the said Accused person merely based on the revenue entries in his favor has claimed ownership of the said land in sy. no. 464. The copy of the said documents produced herewith as Document no. 8 and 8.1 respectively.
11. Thereafter the acquisition proceedings with respect to the land for Devanuru 3rd phase layout continued and Final Notification came to be issued on 20.08.1997 and even compensation award was determined in the name of late Sri. Ninga who was deceased by then which was deposited in the jurisdictional Court. The copy of the Final Notification and the Award passed and the Award notices dated 28.08.1997, 30.03.1998 and the Award are produced along with the Complaint as Document no. 9, 10, 11, 11.1 and 11.2 respectively.
12. Further the Government of Karnataka issued a notification dated 18.05.1998 whereby inter alia the 3A 16G of land in sy. no. 464 was de-notified from the acquisition proceedings. During the relevant time period, the Accused no. 1 was serving as the Deputy Chief Minister of Karnataka from 1996 to 1999 and also as the Mysuru District Incharge Minister. The de-notification order came to be passed by the in furtherance of a conspiracy hatched by Accused no. 1 to 4 for their unlawful enrichment and the said Accused also gained pecuniary advantage for passing the said order. The copy of the De-notification is annexed to the Complainant as Document no. 12.
13. Notwithstanding the fact the land in issue was de-notified by the Government of Karnataka, as per the available documents, undisputedly the said land in sy. no. 464 was developed by the MUDA for the purpose of Devanuru 3rd Phase layout and naturally parks, roads and sites were formed therein. Moreover by the year of 2003, several sites in the said layout were allotted by MUDA. The documents by the MUDA reflecting the sites formed and allotted in the said land are marked and produced herewith as Document no. 13.

14. Further the Accused persons fully aware of the facts stated in the foregoing paragraphs, on 25.08.2004 the Accused no. 4 Sri. Devaraju, S/o. Ninga claiming to the owner of 3A 16G of land in sy. no. 464 of Kesare village, Kasaba hobli, Mysuru Taluka sold the said land through a registered sale deed to Accused no. 3 Sri. B. M. Mallikarjuna Swamy, who is none other than the brother-in-law of the current Hon'ble Chief Minister of Karnataka, Sri. Siddaramaiah. It is also pertinent to note that the said sale deed does not contain any particulars of the flow of title with respect to the said property. Adding thereto during the Accused no. 1 was serving as the Deputy Chief Minister of Karnataka from 2004-06. The Accused no. 4 without having marketable title to alienate the land, with the aid and connivance of the Accused no. 1 executed a false sale deed in favour of the family member of Accused no. 1. This is serious case of an economic offence involving blatant corruption at the higher rungs of executive and political power. The copy of said sale deed is marked and produced herewith as Document no. 14.
15. Immediately thereafter the land use of 3A 16G of land in sy. no. 464 from agriculture to non-agricultural purposes. This was done with the aid of the Former Deputy Commissioner, Sri. Selvakumar IAS and Former Tahsildar, Sri. Malige Shankar. At the cost of repetition, even though the land was already being used by the MUDA, the Accused persons conspiring with other officials, created false and concocted documents by conspiring with the other Accused persons to illegally grab the land. The said Accused persons clandestinely created fake site inspection reports and conversion order at the directions given by the Accused no. 1. The copy of site inspection report and conversion order passed by the Deputy Commissioner is marked and produced herewith as Document no. 15, 15.1 & 16 along with the Complaint.
16. In the land use conversion order passed by the then Deputy Commissioner, it is stated that the Accused no. 4 has filed an agreement mentioning that the Accused no. 4 will use the land purpose mentioned in the said order. But the said affidavit is post-dated, without the signatures of the Deponent and the witnesses, which prima facie disclosed the shows the corruption and fraud played by the Accused no. 1 and the Government Officials. The copy of the agreement is produced herewith as Document no. 17.
17. In the meanwhile the Government of Karnataka in exercise of the powers conferred by section 35 and 36 read with section 71 of the Act, section 55 of the Land Acquisition Act, 1894 and section 21 of the Mysore General Clauses Act, 1899, has made 'Karnataka Urban Development Authorities (Allotment of Sites in lieu of Compensation for the Land Acquired) Rules, 2009 [hereinafter referred to as the '2009 Rules']'. The Intention of the

Government in enacting these Rules was to speed up the land acquisition process free from litigation. These Rules entitled the owner of the land to receive compensation in the form of residential sites proportionately accounting for not less than 35 per cent and not more than 50 per cent of the land reserved for residential purpose in the layout. The copy of the said Rules as amended by the Notification No. UDD TTP 2014, dated 11.02.2015 is marked and produced herewith as Document no. 18.

18. Further in the year of 2010 vide registered gift deed dated 06.10.2010, Accused no. 3 has bequeathed the land in sy. no. 464 to his sister, Smt. Parvathy Accused no. 2 who is none other than the wife of Accused no. 1. In the gift deed very conveniently the land use is mentioned as agricultural land even though documents relating to the change in land use was illegally created. This is to hood wink the registration process. Since the Accused persons failed to obtain the katha in the name of Accused no. 2, the land is not shown as converted land in the gift deed for the want of katha and other necessary documents during the registration process. The Accused persons have illegally executed the sale deed and the gift deed of the said land in sy. no. 464 in order to snatch the residential plots from MUDA. The copy of the said gift deed is marked and produced herewith as Document no. 19.

19. This being the case, once again when Accused no. 1 became the Chief Minister of Karnataka in 2013, the attempt to grab the MUDA sites regained momentum and acting according to the illegal plan, the Accused no. 2, Smt. Parvathy, from 2014 onwards, started to make representations to MUDA requesting allotment of compensatory sites for allegedly using the land in sy. no. 464 for the development of Devanuru 3rd phase layout which was earlier de-notified in the year of 1998. The copies of the representation made by the Accused no. 2 is annexed to this Complaint and marked as Document no. 20.

20. Further on 14.07.2021, the Sri. Natesh. D. B, the Ex-Commissioner of MUDA writes to the Government of Karnataka seeking directions and clarification for allotment of compensatory land in view of the resolution passed by the MUDA on 15.12.2017 and 30.12.2017. The copy of the communication made by the said Commissioner is produced along with the Complaint as Document no. 21.

21. Even before receiving any clarification from the Government, a registered relinquishment deed dated 25.11.2021 was executed by the Accused no. 2 in favour of MUDA thereby relinquishing her purported rights on the land in sy. no. 464. By executing this sham deed the Accused persons committed fraud in order to receive the compensatory sites. Even though the deed states that the compensatory land is allegedly granted under the 1991 Rules, but

the matter of fact is that the land was granted under the 50:50 ratio under the 2009 Rules. The copy of the registered relinquish deed is annexed at Document no. 22.

22. Further the 30.12.2021, the the Sri. Natesh. D. B, the Ex- Commissioner of MUDA who was serving as the Commissioner of MUDA passed an illegal order wherein it was ordered to provide compensatory land to the Accused no. 1 in the benami name of Accused no. 2, under the 50:50 ratio of 2009 Rules to the tune of 38, 284 sq. ft. of land. This order was made unlawfully and illegally on the instructions of Accused no. 1. This illegal order was passed even though there was no clarification or direction given by the Government for the communication dated 14.07.2021 made by the said Commissioner himself. The unlawful act of the Commissioner of MUDA is utter violation of section 13(2)(a) of the Act The copy of the said order is marked and produced herewith as Document no. 23.

23. Furthermore, under the influence of Accused no. 1, Sri. Natesh. D. B, the Ex-Commissioner of MUDA allotted 14 sites in the prime locations of Mysuru City by passing illegal resolutions to suit their requirements and also in gross violations of various Rules framed under the Karnataka Urban Development Authorities Act, 1987. The copy of the allotment letters are marked and produced herewith as Document no. 24.

24. Further on 12.01.2022 the Accused no. 2 without assigning any special and bonafide reasons sought for registration of the sites allotted by the MUDA at the Government Guest House, near Mini Vidhana Soudha, Mysuru. The Accused no. 1 by using exerting his political influence over the officials and by sheer abuse of power at the Sub registrar, he was successful in getting 14 sites registered in the name of his wife at the Guest House itself. Later on the very same day, sale deeds for the 14 sites were executed by resorting to illegal methods in favor of Smt. Parvathy. The copy of the sale deeds and the requisition made by the Accused no. 2 are marked and produced herewith as Document no. 25 and 26.

25. The Urban Development Department of Government of Karnataka Issued directions on 14.03.2023 to the Commissioner, MUDA whereby he was called upon to stop further allocation of compensatory sites till guidelines regarding the same were formulated. The reasons cited for issuing the aforesaid direction is that the sites were being allotted in contravention to the Allotment of Site Rules, 1991. The copy of the said direction is marked and produced herewith as Document no. 27.

26. The Government of Karnataka taking note of the illegal resolutions passed by the MUDA which were passed to suit few interested persons, by

exercising the powers conferred under section 67 of the Act, passed an order dated 27.10.2023 thereby cancelling the resolution dated 14.09.2020. The illegal resolution passed by MUDA which gave effect to the 50:50 ratio for allotment of the compensatory sites under the 2009 Rules was not even questioned by the then MUDA Commissioner. The copy of the Government Order dated 27.10.2023 is produced herewith as Document no. 28.

27. In the meanwhile, since numerous complaints were received by the Government, filed against the irregularities committed within MUDA, the Government set up a Technical Committee to conduct a detailed enquiry into the allegations and thereafter to file a report. The Technical Committee by vide letter dated 03.11.2023 submitted a detailed report thereby bringing to the notice of the Government the huge corruption involved and fraud played by the MUDA officials. The report of the Technical Committee is marked and produced herewith as Document no. 29.
28. The Deputy Commissioner of Mysuru on receiving complaints from a former Assistant Director, MUDA, going by the name Sri. Natraj PS, issued show cause notices dated 04.11.2023 and 09.11.2023 to the MUDA Commissioner at the relevant point of time, calling him upon to answer the serious allegations of fraud, corruption and malpractices committed by him. The copy of the said show cause notices are marked and produced herewith as Document no. 30.
29. Pursuant thereto, the Deputy Commissioner of Mysuru, took note of the illegal resolution dated 20.11.2020 passed by the MUDA whereby a decision was taken to allot compensatory sites under the 50:50 scheme. Hence the Deputy Commissioner called upon the MUDA Commissioner vide letter dated 09.11.2023 to stop the allotment of the sites under the said ratio forthwith. The copy of the letter dated 09.11.2023 is marked and produced herewith as Document no. 31.
30. Further the erstwhile Deputy Commissioner of Mysuru District on 27.11.2023, being fully satisfied by the fact that there was enormous irregularities committed by the officials of MUDA, urged the Government of Karnataka to conduct a thorough enquiry into the serious allegations made against considering the magnitude of the scam involved and the loss caused to the Government. The copy of the communication made by the erstwhile Deputy Commissioner is appended to this Complaint as Document no. 32.

OVERT ACTS BY THE ACCUSED

31. The Accused no. 1 who held office of power as the Deputy Chief Minister of Karnataka in the year 1996 to 1999 for the first term, hatched a plan by conspiring with the Accused no. 2 to 5 in order to knock of the properties belonging to the MUDA.
32. Pursuant to the publication of the Final Notification in the Official Gazette, the land in sy. no. 464 was already acquired and was in ownership and possession of MUDA. The Accused no. 1 being fully aware of the said fact, by influencing the officials and abusing his power in office as the Deputy Chief Minister and In-charge Minister of Mysuru District, very conveniently got only the property in sy. no. 464 de-notified with an ulterior motive of grabbing the Government land in the future.
33. The process of de-notification is filled with malafides, corrupt and illegality for the reason that even though the sy. no. 462 does not find a place in the Final Notification, the same is de-notified along with sy. no. 464. This prima facie shows that the whole procedure was scripted by the conspiracy of the Accused persons in order to snatch the Government land.
34. After demitting office as the Deputy Chief Minister of the State, the Accused no. 1 played safe and did not pursue the matter. After a lapse of 16 years once again when the Accused no. 1 regained the power as the Deputy Chief Minister of Karnataka in 2004, the conspiracy and the Illegal acts resurfaced. The Accused no. 1 thinking it would be the right time to speed up the process and wield power over the Government Officials, executed a sale deed in benami name of his brother in law - Accused no. 3 which was later gifted to his wife Accused no. 2 as a benami property. The Accused no. 4 who did not have the ownership and title over the land in sy. no. 464 by conspiring with the Accused no. 1 and his family members executed a sham sale deed. The Accused no. 1 is guilty of exploitation and misuse or abuse of the office for personal gain.
35. The Accused no. 1 later in order to change the land use of the benami property purchased in the name of Accused no. 4, created false and fabricated documents in active connivance with the Deputy Commissioner of Mysuru District and other public servants at the relevant point of time. Even before the false sale deed was executed, the land in sy. no. 464 was already developed and sites were allotted. But the Accused no. 1 in connivance with Government Officials created false and frivolous site inspection reports and other public documents. The documents were so created to benefit the Illegal cause of the Accused no. 1. The conversion order dated 15.07.2005 is also a fabricated document as could be seen on the face of it. Interalia in the said order it is mentioned that the Accused no. 4 has filed an affidavit swearing that the Accused no. 4 will use the land for

the purpose mentioned in the said order. But the said affidavit is post-dated, which prima facie disclosed the corruption and fraud played by the Accused no. 1 and the Government Officials.

36. Later once the land was gifted to Accused no. 2 she made several representations at the aid and assistance of Accused no. 1, seeking allotment of compensatory sites illegally.
37. The son of Accused no. 1, Sri. Yatindra who being the ex-officio member of MUDA by virtue of him being the Member of Legislative Assembly from Varuna Constituency, had influenced several discussions, decisions and resolutions passed by MUDA to suit their requirements and thereby illegally grabbed the land in the garb of receiving compensatory sites. It is pertinent to note that when he was the MLA of Varuna Constituency, he misused and abused his powers influenced the decisions of the MUDA by acting illegally in connivance of the then Commissioner of MUDA and other officials.
38. In spite of several orders issued by the Government of Karnataka and the current Deputy Commissioner of Mysuru District to the MUDA officials to put an end to the allotment of sites and also adverse findings given by the Technical Committee against the MUDA officials, the Commissioner of MUDA back then has gone ahead and allotted sites under the 50:50 scheme even though the sale deed executed by MUDA stipulates that the sites were allegedly allotted under the 1991 Rules. The said Commissioner has displayed sheer high handedness by abusing the power and without paying heed to the above mentioned orders.
39. The Accused no. 1 has only paid a nominal consideration amount of Rs. 1,000/- per site while the Rules prescribe payment of full consideration amount. These corrupt and illegal acts of the Accused no. 1 in active involvement of other accused persons have caused huge loss of revenue to the State Government.
40. The documents appended to the Complaint is sufficient proof that the Accused no. 1 during the relevant period of time when he was the Deputy Chief Minister and Chief Minister which are offices of trust and having taken oath, has misused the trust in order to fulfill their personal goal with the aid and assistance of his family members and the officials of the MUDA.
41. The acts committed by Accused no. 1 is a clear act of criminal breach of trust by ordering de-notification of the land in question, which had vested in the State. The illegal acts of land grabbing by him and his family has caused loss to the State Ex-chequer to the tune of several crores of rupees and also has caused loss of more than five thousand crores to the MUDA,

- which had spent substantial amount for formation of sites in the land in question.
42. Further, Accused no. 1 has exercised his power over different officials and was clearly responsible for illegal allotment of sites in the name of Accused no. 2 in the prime locality of Mysuru.
43. The documents available before the Hon'ble Court reveal misconduct, violation of various laws, rules, regulations and this is a direct threat to public Interest, which is nothing but fraud, violations and corruption by the Accused no. 1 and his family members in connivance with the officials of MUDA and Revenue Department including the then Deputy Commissioner.
44. The facts in the present case expose the blatant misuse of public office by the Accused no. 1 and his family members. They have blatantly misused their official positions to favour a few influential and highly placed individuals and have also thereby caused wrongful gain to them and wrongful loss to the MUDA and the public at large.
45. Such allotments being obnoxious, deflecting the scheme and defeating the public purpose by abusing public office. Hence it is a fit case to be investigated by an independent Agency so that the persons responsible for the blatant abuse of the power and action can be held liable and the magnitude of the scam can be determined.
46. In the light of the settled legal position, Accused no. 1 and his close aids did not acquire any title to the lands sold to them under defective and void title by Accused no. 4
47. The Accused no. 1 is personally and collectively responsible for the actions, acts and policies Involved in the MUDA scam. He is accountable and answerable to the people of the State. His powers and duties are regulated by the law and the rules. Therefore, he is indictable for conduct or omission, or misconduct or misappropriation by him and his officials.
48. The Accused persons by hatching a criminal conspiracy have altered public documents, created false record and used false and fabricated documents as genuine before the concerned authorities and to grab the land belonging to the MUDA.
49. The said persons by way of fraud, have altered public documents with a motive to create false documents and create artificial rights on the land belonging to MUDA. The accused persons are indulged in large scale fraudulent allotment of MUDA sites. It is seen in this case that, the Accused

persons have conveniently violated the relevant rules and regulations to unlawfully enrich themselves. The Accused persons are also guilty of misrepresentation and playing fraud on the public.

50. The offence alleged against Accused no. 1 and others is a continuous process of illegality and corrupt practice done over a continuous period of 20 years. It took birth in the year 1998 and finally grew into a giant of corruption, unlawful enrichment and misappropriation by way of gift deed in the year 2010 and illegal allotment of sites from MUDA to Accused no. 2 In 2022.
51. The Accused 1 to 3 without lawful entitlement on the land in sy. no. 464, with a view to illegally receive the MUDA sites have abused the process of law, violated the provisions of the KUDA Act and the Rules made thereunder and prima-facie the accused by their act of criminal misconduct have obtained pecuniary advantage to themselves. When the erstwhile Deputy Commissioner Sri. Rajendra IAS took measures to stop the illegal allotment of sites in MUDA and issued show cause notices to the officials involved in corruption, he was transferred from Mysuru District only with a malafide intention to shield the actual culprits involved in the multi crore MUDA scam.
52. Similar illegal allotments are being done by the MUDA officials and other political and influential persons thereby causing loss to the tune of more than five thousands crores to the state ex-chequer due to embezzlement and illegal gratification. The above mentioned accused persons by Illegally allotting thousands of sites have received huge kickbacks. These illegal acts and corruption has gone into the roots of MUDA since the year 1990. Hence a detailed investigation and enquiry into the case is necessary.
53. It is pertinent to note that, Complainant on earlier occasion had approached the Vijayanagara Police Station, Mysuru wherefor they have issued an acknowledgement thereby refused to register an FIR. The Complainant has given complaint to the Police Commissioner, Mysuru, the Superintendent of Police, Mysuru, Lokayuktha, Assistant Director General of Police, Lokayuktha, the Director General and Inspector General of Police, Bengaluru and also the Central Bureau of Investigation in compliance with section 154 and landmark judgement of Priyanka Srivastava & Anr vs State Of U.P. & Ors. The said Police have not taken any action and violated the guidelines of the Apex Court rendered in Lalita Kumari case. Hence the complainant had no other go than to approach this Hon'ble Court. Hence this present Complaint. The copies of the Complaint filed before various investigating agencies and the acknowledgement received is produced

along with the Complaint as Document no. 33, 33.1, 33.2, 33.3, 33.4, 33.5 and 34, 34.1.

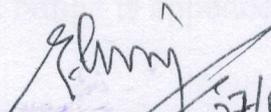
54. The Complainant has also sworn to an verifying affidavit which is produced along with the Complaint in compliance with the procedure lald down in Priyanka Srivastava & Anr vs State Of U.P.& Ors.
55. Since the Accused no. 1 is the present Chief Minister of Karnataka, the Competent Authority to accord sanction for prosecution is His Excellency the Governor of Karnataka. Accordingly the Complainant has also sought for the sanction and permission from the Governor under section 19 of the Prevention of Corruption Act, section 55 of Prohibition of Benami Property Transaction Act, section 197 of CrPC read with section 218 of BNSS and under section 200 of CrPC read with section 223 of BNSS which is pending consideration. It is pertinent to note that since the allegations against the named accused persons are not in relation to any action taken or recommendation made by Accused no.1 or other named accused persons, there is no requirement of prior permission or approval from the competent authority under section 17A of Prevention of Corruption Act. This court can consider the complaint on merits without any legal impediment. The copy of the same is appended along with the Complaint as Document no. 35.
56. Furthermore, the corruption and irregularities committed by the Accused no. 1 is just a tip of the ice berg. Infact many Government Officials and others at the relevant point in time were actively involved in larger scam which needs deeper investigation, enquiry and trial in the due course. The Complainant reserves the right to bring to the notice this Hon'ble such other details in the due course.
57. Admittedly, the Accused no. 1 has served at the helm of affairs of the State of Karnataka. The Accused no. 1 has served as the Deputy Chief Minister from 1993-99 and 2004-06, Finance Minister and Chief Minister of Karnataka from 2013-18 and in the present. Hence naturally the Police Department of Karnataka and other investigation agencies coming under the control of the State Government are refusing to take any sort of action against the Accused no. 1, his family members and others. However the Complainant has furnished sufficient materials to prove the acts of criminal misconduct, corrupt practices, illegal acts and other offences of the beyond reasonable doubt. In case this Hon'ble Court deems fit to further investigate or enquire into the facts of the case, the assistance of any investigation agency not under the control of the State Government may kindly be taken in the interest of justice.

58. The Accused have committed offences punishable under Section 120B, 166, 403, 406, 420, 426, 465, 468, 340, 351 and other relevant sections of the Indian Penal Code. The Accused persons are also guilty of committing offences under section 9 & 13 Prevention Of Corruption Act, 1988, 3, 53 & 54 of The Prohibition Of Benami Property Transactions Act, 1988 and 3, 4 of Karnataka Land Grabbing Prohibition Act, 2011.

59. That the Accused no. 1 is a Member of Legislative Assembly (MLA) Karnataka and the offences alleged are triable by the Special Court under the PC Act and hence this Hon'ble Court has got jurisdiction to entertain this complaint and to secure all the accused and to punish them in accordance with law. The Complainant has not filed similar complaint before any other forum.

WHEREFORE, the Complainant humbly pray that this Hon'ble Court be pleased to:

- I. Take cognizance for the offences punishable under Section 120B, 166, 403, 406, 420, 426, 465, 468, 340, 351 and other relevant sections of the Indian Penal Code (61, 198, 314, 316, 318, 324, 336, 340 & 351 of BNS), offences punishable under sections 9 & 13 Prevention Of Corruption Act, 1988, 3, 53 & 54 of The Prohibition Of Benami Property Transactions Act, 1988 and 3, 4 of Karnataka Land Grabbing Prohibition Act, 2011 or hold enquiry or direct the CBI / any independent investigating agency which does not come under the State Government / Lokayuktha Police Wing to submit a report after inquiry under section 202 of CrPC read with section 225 of BNSS and secure the presence of the Accused by issuance of process/summons to the Accused persons and punish them in accordance with law, OR
- II. Refer the complaint under 156(3) of CrPC read with section 175(3) of BNSS to Police Wing of Lokayuktha for Investigation and to submit report and take cognizance and punish them in accordance with law In the interest of justice


 27/09/24
 Superintendent of Police
 Police Wing
 Karnataka Lokayukta
 Mysore District, Mysore