

APHC010409022025



IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3396]

THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR.JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 20970/2025

Between:

- 1.KEERTHANA FINSERV PRIVATE LIMITED, REGD. OFFICE AT 11 POLLOCK STREET, 5TH FLOOR, P S HARE STREET, KOLKATA, WEST BENGAL, INDIA, 700001. THE VICE PRESIDENT, REP. THROUGH ITS AUTHORISED PERSON, DINESH SINGARENI, SEETHARAMAPURAM, VIJAYAWADA 520011.

...PETITIONER

AND

- 1.THE STATE OF AP, REP. BY ITS PRINCIPLE SECRETARY, HOME DEPARTMENT, SECRETARIAT BUILDINGS, AMARAVATI, VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.
- 2.THE STATION HOUSE OFFICER, ANANTHAPURAM IV TOWN POLICE STATION, ANANTHAPURAM, ANDHRA PRADESH.
- 3.VENKATAMPALLI SATHISH KUMAR, S/O NOT KNOWN, AGED 28 YEARS, R/O D.NO. 19-2-990-2, ANANTHAPURAM TOWN ANANTHAPURAM DISTRICT, ANDHRA PRADESH.
- 4.H JAYARAMULU, S/O. NARASIMHULU, AGED 30 YEARS, KONAMPALLI GRAMAM, BHELLUGUPPA MANDAL, NEVER ANJANEYASWAMI TEMPLE, JAKIR KOTLA, ANATHAPURAM TOWN.
- 5.SAYA SAIKRISHNA, S/O NAGARAJU, AGED 28 YEARS R/O, DO. NO.29-108/3 GANESH NAGAR, RAJA HOTEL, KALYANADURGAM ROAD, ANATHAPURAM TOWN.
- 6.BOYA SRINUVASULU, S/O. B.OBULESU, AGED 22 YEARS. DOOR NO.6-183, NADAMURI NAGAR, ANATHAPURAM TOWN.
- 7.P VENUGOPAL, S/O. P. THIMMA REDDY, AGED ABOUT 46 YEARS, R/O. 4-15A, RAMADASUPETA, GARLADINEE, ANANTAPUR 515731, PRESENTLY WORKING AS BRANCH MANAGER (IN CHARGE) AT HDFC BANK RAMNAGAR BRANCH, ANANTAPUR.

...RESPONDENT(S):

Counsel for the Petitioner:

1. TALLADA RAMESH BABU

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India by the Petitioners seeking the following relief:

“....Writ of Mandamus by declaring seizure report issued by Respondent dated 28.07.2025 against the Petitioner Company and consequently extending threats to the employees of the Petitioner Company to hand over the pledged gold ornaments in respect of loan amounts sanctioned to the Respondent No.3- 6 without discharging the loan amounts under the guise of registration of vide crime No.137 of 2025 dated 14.07.2025 under Section 316(2), 318(2) of BNS, Ananthapuram IV Police Station, Ananthapuram and interference with the day to day business activities of the Petitioner Company without following due process of law as illegal, arbitrary and contrary to the law and consequently set aside the report issued by Respondent No.2 dated 28.07.2025 against the Petitioner and further direct the Respondents not to interfere with the business activities of the Petitioner Company without following due process of law...”

2. Brief facts of the case are as follows:

Petitioner is a Non-Banking Financial Institution dealing with grant of loans to the customers on the security of gold ornaments pledged by them. That being so, the Petitioner-Company provided gold loans to the Accused in Crime No.137 of 2025 on the file of Anantapur IV Town Police Station, Anantapuram District registered for the offences under Sections 316(2) and 318(4) of BNS. The Respondents / Accused in the said crime have allegedly stolen the gold ornaments and pledged some of them with the

Petitioner – Company. The Accused confessed have allegedly confessed that the ornaments pledged by them with the Petitioner-Company are the property that belongs to the *De facto* complainant in the above crime. On that, Respondent No.2 issued a notice dated 28.07.2025 to the Petitioner-Company to handover the pledged ornaments to the Police. Questioning the impugned notice, this Writ Petition is filed by the Petitioner.

3. Heard Sri Tallada Ramesh Babu, learned counsel for the Petitioner and Sri V.Farooq, learned Assistant Government Pleader for Home.

4. Learned counsel for the Petitioner would submit that the subject matter of this Writ Petition is squarely covered by the Order the Hon'ble Supreme Court on 19.02.2024 in Special Leave Petition (Crl.) No.9539 of 2023 and placed on record the said order and would submit that similar orders may be passed by disposing of this Writ Petition.

5. Learned Assistant Government Pleader would submit that the Court may pass appropriate orders.

6. Considering the submissions made, the Writ Petition is disposed of, setting aside the seizure report dated 28.07.2025, with the following observations.

(i) The Petitioner shall produce the pledged ornaments as and when called by the Investigating Officer for inspection of the same and also permit taking photographs and making the *Panchanama*, if so required.

(ii) The Petitioner shall produce the pledged ornaments before the concerned Court as and when directed by the concerned Court in relation to Crime No.137 of 2025 on the file of Anantapur IV Town Police Station, Anantapuram District.

(iii) The Petitioner shall not handover the pledged ornaments to the pledgors (Respondents / Accused) or any other person representing them or permit redemption of the pledges, without prior permission from the concerned Court.

(iv) The Petitioner shall not sell, dispose of, or part with possession of the pledged ornaments without prior permission from the concerned Court. There shall be no order as to costs.

Pending applications, if any, shall stand closed.

DR.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Dt.07.08.2025
Dinesh

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Writ Petition No. 20970 of 2025

07.08.2025

Dinesh