

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

FRIDAY, THE SEVENTEENTH DAY OF OCTOBER,

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 1 OF 2025

IN

WP NO: 29063 OF 2025

Between:

1. YERRAM SWARNALATHA REDDY, W/o. Y. V. Subba Reddy, aged about 63 Years, R/o. Road No. 10 C, MLA & MPs Colony, Near CRPF, Jubilee Hills, Hyderabad-500033 Aadhaar No 7977 9540 1508
2. MR. YERRAM VENKATA SUBBA REDDY, S/o. Y. Chinna Poli Reddy, aged about 65 Years, R/o. Road No. 10 C, MLA & MPs Colony, Near CRPF, Jubilee Hills, Hyderabad-500033 Aadhaar No 4417 6574 8178

...Petitioners

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Principal Secretary, Department of Home, Secretariat Buildings, Velagapudi Village, Amaravathi.
2. THE SPECIAL INVESTIGATION TEAM, SIT office, Old SCBC Building, Opp Balaji Link Bus Stand, Alipiri, Tirupathi.
3. THE DIRECTOR GENERAL OF POLICE, DGP Office, Mangalagiri.
4. THE DIRECTOR, CENTRAL BUREAU OF INVESTIGATION (CBI), 15-b, CGO complex, Lodhi road, New Delhi-110003.
5. THE SUPERINTENDENT OF POLICE, Tirupathi District, Tirupathi.
6. THE ADDITIONAL SUPERINTENDENT OF POLICE (ADMIN), Special Investigation Team, Tirupathi.

7. THE STATION HOUSE OFFICER, East PS, Tirupathi.

8. AXIS BANK LTD., Through Its Bank Manager, Srinagar Colony,
Hyderabad, Telangana State.

...Respondents

Counsel for the Petitioners: Sri. SAI SARAN CHODISETTY

Counsel for the Respondent Nos. 1, 3, 5 to 7: GP FOR HOME

Counsel for the Respondent Nos. 2 & 4: Sri. P.S.P. SURESH KUMAR

Petition under Section 151 CPC., is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 8 bank, not to furnish any particulars in regard to the bank accounts held by the petitioners in such bank, to the Respondent No. 2, pending disposal of the Writ Petition.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

The Court made the following ORDER:

Heard Sri S.Sriram, learned Senior Counsel assisted by Sri Sai Saran Chodisetty, learned counsel for the Petitioners and Sri P.S.P.Suresh Kumar, learned Special Public Prosecutor for C.B.I.

Learned Senior Counsel would submit that the Petitioners herein are neither the Accused nor the witnesses relating to the Crime No.470 of 2024. Learned counsel would further submit that the crime is relating to adulteration of ghee, which is used in preparation of Laddus in Tirumala Tirupati Devasthanam. It is further submitted that, investigation in the said crime has been completed and charge sheet has also been filed. Learned Senior Counsel would further submit that, the officer in

the rank of Additional Superintendent of Police issued a notice represented by Special Investigation Team to Respondent No.8 the banker of the Petitioners to furnish the account details, details of FDs, lockers link and also bank account linked with PAN etc., of the Petitioner No.2.

Learned Senior Counsel would further submit that the power of the Police to issue notice under Section 94 of BNSS to the Bank is subject to the provisions of The Bankers' Book Evidence Act, 1891. It is submitted that, the notice is bereft of satisfaction of the Investigating Officer that securing such information is either necessary or desirable. Learned Senior Counsel would submit that, let there be a direction to the Banker of the Petitioners not to furnish such information. Learned Senior Counsel, in support of their contentions, placed reliance on the judgments of the Hon'ble Supreme Court of India in District Registrar & Collector, Hyderabad and another vs. Canara Bank and others¹ and Ram Jethmalani and others vs. Union of India and others².

Learned Special Public Prosecutor for CBI would submit that the Investigating Officer issued a notice to the Banker for production of account details of Petitioner No.2 vide Letter dated 12.10.2025. It is further submitted that the Personal Assistant of Petitioner No.2 gave some information during the course of investigation and filed a writ petition challenging the authority of the Addl. Superintendent of Police to conduct investigation, who is not a member of SIT, as directed by the Hon'ble Supreme Court. It is further submitted that, a Coordinate Bench of this Court passed interim order in his favour. The SIT has carried the interim order to the Hon'ble Supreme Court and obtained an interim order to proceed further with the investigation and that is why the delay occurred.

Learned Spl.Public Prosecutor for CBI would further submit that, SIT has not summoned the Petitioners as on this day. They may

¹ (2005) 1 SCC 496

² (2011) 8 SCC 1

conclude the investigation within a couple of months since it is at the final stage. If any order is passed stalling the investigation, it may cause prejudice to the case of the Prosecution. It is further submitted that the investigation regarding the bank account particulars of Petitioner No.2 requires to rule out the suspicion.

Learned Senior Counsel for the Petitioners, in reply, would submit that the notice issued under Section 94 BNSS is subject to the provisions of the Bankers' Book Evidence Act, 1891.

Considering the submissions made and on perusal of the material on record, since the Petitioners have challenged the authority of the Investigating Officer, who is in the rank of Additional Superintendent of Police in issuing notice to the Banker of the Petitioners for furnishing the account details of Petitioner No.2 and also raised legal issues regarding the inter-play between Section 94 of BNSS and Section 2(3) of the Bankers' Book Evidence Act, the matter requires comprehensive hearing.

In that view, the Investigating Officer is hereby directed to proceed with the investigation with the material received by this time from Respondent No.8 and shall not insist for further information, till the next date of hearing.

**SD/-SK MD RAFI
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Home, The State of Andhra Pradesh, Secretariat Buildings, Velagapudi Village, Amaravathi. (by SPECIAL MESSENGER)
2. The Special Investigation Team, SIT office, Old SCBC Building, Opp Balaji Link Bus Stand, Alipiri, Tirupathi.
3. The Director General of Police, DGP Office, Mangalagiri.

4. The Director, Central Bureau of Investigation (CBI), 15-b, CGO complex, Lodhi road, New Delhi-110003.
5. The Superintendent of Police, Tirupathi District, Tirupathi.
6. The Additional Superintendent of Police (ADMIN), Special Investigation Team, Tirupathi.
7. The Station House Officer, East PS, Tirupathi.
8. The Bank Manager, AXIS BANK LTD., Srinagar Colony, Hyderabad, Telangana State. (Addressee Nos. 2 to 8 BY RPAD)
9. One CC to Sri. SAI SARAN CHODISETTY, Advocate [OPUC]
10. One CC to Sri. P.S.P. SURESH KUMAR, Special Public Prosecutor for C.B.I. [OPUC]
11. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
12. One spare copy

JSS

HIGH COURT

DR.VJP, J

DATED:17/10/2025

LIST THE MATTER ON 31.10.2025.

ORDER

WP.No.29063 of 2025

DIRECTION

