



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

[3396]

FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 29327/2025

Between:

1. AASHISH AGARWAL,, S/O MOHAN LAI AGARWAL, AGED ABOUT 36 YEARS, R/O NEAR AK TILES FACTORY, DAGA QUARTER, RANI BAZAR, BIKANER, RAJASTHAN STATE.
2. HARI MOHAN RANA,, S/O MANGOO SINGH, AGED ABOUT 50 YEARS, R/O DADUPUR, GOVINDPUR, BHADRABAD, HARIDWAR, UTTARAKHAND STATE

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRI. SECRETARY, HOME DEPARTMENT, AP SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
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, GUNTUR DISTRICT.
4. THE DIRECTOR, CENTRAL BUREAU OF INVESTIGATION, 15-B, CGO COMPLEX, LODHI ROAD. NEW DELHI -110003.
5. THE SUPERINTENDENT OF POLICE, TIRUPATHI, TIRUPATHI DISTRICT.
6. THE ADDITIONAL SUPERINTENDENT OF POLICE ADMIN, SPECIAL INVESTIGATION TEAM, TIRUPATHI.
7. THE STATION HOUSE OFFICER, EAST PS, TIRUPATHI.
8. J VENKAT RAO, OCC INVESTIGATION OFFICER, SPECIAL INVESTIGATION TEAM, OLD SVBC BUILDING ALIPIR, TIRUPATHI - 517501.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. SIVAPRASAD REDDY VENATI

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
WRIT PETITION NO: 29327/2025

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

“.... to issue a writ or order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the notice, dated 19.10.2025 issued by the officials of 2nd respondent and in denying the presence of the counsel for the petitioners at the time of investigation as illegal, arbitrary and unconstitutional and consequently, direct the respondent No.2 to permit the petitioners to be accompanied by their counsel during the course of investigation and to ensure that the entire process of such investigation is video recorded, pursuant to the notice dated 19.10.2025 and any consequential notices hereinafter.”

2. Heard Sri C. Nageswara Rao, learned Senior Counsel assisted by Sri V. Uday Kumar, learned counsel appearing on behalf of the petitioners and Sri P.S.P.Suresh Kumar, learned Special Public Prosecutor for CBI.

3. Learned Senior Counsel would submit that the 1st petitioner is proprietor of Supreme Inc and 2nd petitioner is Manager of M/s Bhole Baba Organic Dairy Milk Private Limited and they were arrayed as Accused Nos.12 and 15 in Crime No.470 of 2024 of East Police Station, Tirupati, registered for the offences punishable under Sections 274, 275, 316(5), 318(3), 318(4), 61(2), 299, 336(3), 340(2) r/w 49 and 3(5) of BNS and Section 51 & 59 of the Food Safety and Standards Act. Learned Senior Counsel would further submit that they were enlarged on bail and now the petitioners were issued notices to appear before the Investigating Officer without any reasonable grounds. Learned Senior Counsel would further submit that the petitioners may be

permitted to have the presence of their counsel at the time of examination by SIT.

4. Learned Special Public Prosecutor for CBI would submit that the presence of the petitioners is necessary for further examination and hence, they were issued notices to appear before the SIT. Learned Special Public Prosecutor would further submit that presence of Advocate is not at all necessary in this matter since the petitioners were arrested and released on bail.

5. Considering the submissions made by both the learned counsel and on perusal of the material on record, the only request made by the petitioners before this court is to permit them to have the presence of their counsel at the time of further examination by the SIT.

6. In that view, it is apposite to permit the petitioners to appear before the SIT accompanying by their counsel who can sit at a feasible distance and maintain decency and decorum and should not interfere with the investigation.

7. Accordingly, with the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:24.10.2025
ARB

87

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

W.P.No.29327 of 2025

Dt.24.10.2025

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