



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

**[3396]**

**FRIDAY, THE FIFTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FIVE  
PRESENT**

**HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA**

**WRIT PETITION NO: 33362/2025**

**Between:**

1. SANAMPURI UDHAY KUMAR, S/O. SANAMPURIKRISHNAIAH, AGED ABOUT 32 YEARS, RESIDING AT D.NO.1-25, VENKATAGIRIMANDAL, PERIYAVARAM VILLAGE, NELLORE.
2. SANAMPURI SOMASEKHAR, S/O. SANAMPURIKRISHNAIAH, AGED ABOUT 34 YEARS. RESIDING AT D.NO.1-25, VENKATAGIRIMANDAL, PERIYAVARAM VILLAGE, NELLORE.

**...PETITIONER(S)**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, AP SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE DIRECTOR GENERAL OF POLICE, AP POLICE HEAD QUARTERS, MANGALAGIRI, GUNTUR DISTRICT.
3. THE SPECIAL INVESTIGATION TEAM, REP BY COMMISSIONER OF POLICE VIJAYAWADA, VIJAYAWADA, NTR KRISHNA DISTRICT, ANDHRA PRADESH.
4. THE INVESTIGATING OFFICER CUM ADDITIONAL SUPERINTENDENT OF POLICE, SPECIAL INVESTIGATION TEAM SIT, 2ND FLOOR OFFICE OF COMMISSIONER OF POLICE, VIJAYAWADA, NTR KRISHNA DISTRICT, ANDHRA PRADESH.
5. CRIME INVESTIGATION DEPARTMENT CID, REP. BY ADDITIONAL DIRECTOR GENERAL OF POLICE, AP POLICE STATE HEAD QUARTERS MANGALAGIRI, ANDHRA PRADESH, 522 503

**...RESPONDENT(S):**

**Counsel for the Petitioner(S):**

1. VMR LEGAL

**Counsel for the Respondent(S):**

1. GP FOR HOME

**The Court made the following:**

**ORDER:**

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

*“.... a Writ of Mandamus declaring the inclusion of the lands upto an extent of Ac.0.15 1/2 cents in Sy.No.308/1B, Ac.0.14 cents in Sy.No.308/2B, Ac.0.05 3/4 cents in Sy.No.308/3B of Tandlam Village Accounts, Renigunta, Tirupathi purchased by the petitioners for valid Sale consideration in G.O.Ms.No.159, Dt.19.11.2025 of the Home (General-A) Department, Government of Andhra Pradesh whereby the said lands are sought to be attached without verification of the present ownership of the land is as perse illegal, manifestly arbitrary, unreasonable, irrational, unconstitutional besides being violative of Principles of Natural Justice besides being opposed to the very spirit and object of Justice and Fair-play and Fundamental Rights guaranteed under Article 14, 19, 21 and 300A of the Constitution of India and for a consequential direction to set aside G.O.Ms.No.159, Dt.19.11.2025, of the Home (General-A) Department, Government of Andhra Pradesh in respect of the said lands.”*

2. Heard Sri K.S.Murthy, learned Senior Counsel assisted by Sri Venkatesh B.Reddy, learned counsel for the Petitioners and Sri Siddharth Aggarwal, learned Senior Counsel assisted by Sri M.Lakshmi Narayana, learned Public Prosecutor for Respondents / State.

3. Learned Senior Counsel for the Petitioners would submit that the Petitioners are the absolute owners of the land of an extent of Ac.0.15 1/2 cents in Sy.No.308/1B, Ac.0.14 cents in Sy.No.308/2B, Ac.0.05 3/4 cents in Sy.No.308/3B of Tandlam Village Accounts, Renigunta, Tirupati having purchased the same under a registered sale deed dated 06.02.2025 vide Doc.No.769/2025 of SRO, Renigunta Rural from one A.Eswaramma and Y.Narayanamma. The vendors of the Petitioners purchased the said land from M/s.Kalyana Venkateswara Swamy (KVS) Infra Private Limited vide Registered Doc.No.9689/2024. Learned counsel would submit that the Petitioners have purchased the subject property, which is shown as Item

No.11 in the impugned G.O and the same is not the property of the Accused. Learned Senior Counsel would further submit that there was no criminal case or attachment over the subject property. Subsequently, Crime No.21 of 2024 was registered by CID, Mangalagiri on the irregularities in the Excise Policy during 2019-2024 against some individuals including the family members of one of the Directors of KVS Infra Private Limited alleging that they acquired certain properties using alleged wrongful gain.

Learned Senior Counsel would further submit that the lands purchased by the Petitioners were acquired long prior to the registration of the said crime and the Petitioners are the subsequent *bona fide* purchasers for a valuable consideration. It is further submitted that the Respondents without examining the latest Encumbrance Certificate and the relevant records, issued the impugned G.O and erroneously attached the properties purchased by the Petitioners. Learned Senior Counsel would further submit that, as per Criminal Law Amendment Ordinance, 1944, the property that belongs to the Accused at the relevant time or the property which is shown to be derived from the alleged offence, can only be attached. Learned Senior Counsel would finally prays to set aside the impugned G.O and the attachment over the subject property.

4. Learned Senior Counsel representing Respondents - State would submit that, this is a premature stage to decide the veracity of the contentions raised by the Petitioners. Learned Senior Counsel would further submit that the Government has issued authorization to file a petition before the trial Court

and raise their objections. Learned Senior Counsel would finally submit that the remedy the remedy is available to the Petitioners to approach the concerned Special Court to raise the attachment of the subject properties. In support of their contention, learned Senior Counsel has placed reliance on the judgment of a Coordinate Bench of this Court in **Gujjala Sreenu and others vs. State of A.P.**,<sup>1</sup>.

5. As seen from the material placed on record, in view of the registration of a case in Crime No.21 of 2024 by CID, Mangalagiri, in relating to the irregularities found in the Excise Policy during the period from 2019 to 2024, the Government had issued G.O.Ms.No.159, dated 19.11.2025 authorizing the CID Police, Mangalagiri for initiation of attachment proceedings under Section 18-A of the Prevention of Corruption Act, 1988 read with Sections 3 and 4 of the Criminal Law Amendment Ordinance, 1944 by way of an application before the Court of learned Special Judge for trial of SPE & ACB Cases-cum-III Additional District and Sessions Judge, Vijayawada.

6. It is alleged in the said G.O that, Accused Nos.38, 39 along with his family members and associated Companies such as KVS Infra Private Limited and CMR Infra Private Limited, systematically acquired multiple immovable properties in Tirupati, Chittoor District and the neighbouring areas by using the wrongful gains derived from the kickbacks of liquor scam. Whereas, it is the contention of the Petitioners, that they are the third parties to the said crime and that the subject properties were purchased by them under a registered

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<sup>1</sup> 2023 SCC OnLine AP 457

sale deed dated 06.02.2025 *vide* Doc.No.769/2025 of SRO, Renigunta Rural from one A.Eswaramma and Y.Narayanamma, who actually purchased the said land from M/s.Kalyana Venkateswara Swamy (KVS) Infra Private Limited *vide* Registered Doc.No.9689/2024. It is the further contention of the Petitioners that the subject property, which is shown as Item No.11 in the impugned G.O, is not the property of the Accused.

7. At this stage, it is apposite to extract Section 8 of the Criminal Law (Amendment) Ordinance, 1944, which reads as follows:

***“8. Security in lieu of attachment:*** Any person whose property has been or is about to be attached under this Ordinance may, at any time apply to the District Judge to be permitted to give security in lieu of such attachment and there the security offered and given is in the opinion of the District Judge satisfactory and sufficient, he may withdraw or, as the case may be, refrain from passing, the order of attachment.”

8. In the case at hand, the copy of the statement of Encumbrance on the Property also discloses the name of KVS Infra Pimate Limited, as the owner of the subject property, but it does not reflect the names of either the Petitioners or their vendors. In the impugned G.O also authorized the CID Police to file an application before the Special Judge seeking attachment of the movable and immovable properties mentioned in the attached Annexure. However, as rightly put by the learned Senior Counsel for the Respondents, this is not the stage to decide the genuineness of the contentions raised by the Petitioners with regard to the ownership of the subject properties and the Petitioners can work out their remedies available to them under Section 8 of the Criminal Law (Amendment) Ordinance, 1944 by filing an appropriate

application before the concerned Court, instead of knocking the doors of this Court.

9. In that view, the Writ Petition is disposed of. However, the Petitioners herein are at liberty to raise all their contentions in the attachment petition, if any, filed by the CID Police. There shall be no order as to costs.

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

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**Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA**

Date:05.12.2025  
Dinesh

**HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA**

**W.P.No.33362 of 2025**

**Dt.05.12.2025**

*Dinesh*