



2021:TSHC:28351

[2691]

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

I.A. No.1 of 2024 in Crl.M.P.No. 4520 of 2012 in Crl.P. NO: 4523 OF 2012
I.A. No. 1 of 2024 in Crl. M.P. No. 4521 of 2012 in Crl.P. No. 4524 of 2012

&

I.A. No. 1 of 2024 in Crl.M.P. No. 4522 of 2012 in Crl.P. 4525 of 2012

I.A. No. 1 of 2024

In

Crl.P. M.P. No. 4520 of 2012

In

Crl.P. No. 4523 of 2012

Between:

M/S. Jagati Publications Ltd., Rep. by its Financial Director, Mr.Y.Eshwara
Prasada Reddy, Regd. Off. at 6-3-249/1, Sakshi Towers, Road No.1, Banjara
Hills, Hyderabad. ...Petitioner/Petitioner

AND

Central Bureau of Investigation, Hyderabad.

...Respondent/Respondent

Petition under Section 482 of Cr.P.C of 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit the Petitioner to substitute the title deeds of M/s Revan Infra Pvt. Ltd., Bangalore (i.e., Doc. No. 2179 of 2010, 2177 of 2010 and 2181 of 2010, dt. 26/08/2010) deposited with the Principal Special Judge for CBI Cases, Nampally, Hyderabad vide Memo dt. 28/08/2012 by furnishing a bank guarantee or a fixed deposit for a sum of Rs. 49.5.00,000/-, subject to all other conditions enjoined upon the Petitioner vide the orders in CRLP No. 4523 of 2012.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G Ashok Reddy, Advocate for the Petitioner and the Mr. Srinivas Kapadia, Special Public Prosecutor on behalf of the Respondent.



2021:TSHC:28351

I.A. No. 1 of 2024
In
Crl.M.P. No. 4521 of 2012
In
CRIMINAL PETITION NO: 4524 OF 2012

Between:

M/s. Janani infrastructure LTD., Having Regd. Office at No. 24, 1st Main Road
Near Bhashyam Circle, Petrol Pump, Vyalikavil, Bangalore Represented by Its
Director Mr. A. Lakshminarayana Reddy.

...Petitioner/Petitioner

AND

Central Bureau of Investigation ACB, Hyderabad.

...Respondent/Complainant

Petition under Section 482 of Cr.P.C Under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit the Petitioner to substitute the title deeds of M/s Revan Infra Pvt. Ltd., Bangalore (i.e., Doc. No. 2179 of 2010, 2177 of 2010 and 2181 of 2010, dt. 26/08/2010) deposited with the Principal Special Judge for CBI Cases, Nampally, Hyderabad vide Memo dt. 28/08/2012 by furnishing a bank guarantee or a fixed deposit for a sum of Rs. 23,42,000/-, subject to all other conditions enjoined upon the Petitioner vide the orders in CRLP No. 4524 of 2012.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G Ashok Reddy, Advocate for the Petitioner and the Mr. Srinivas Kapadia, Special Public Prosecutor on behalf of the Respondent .

I.A. No. 1 of 2024
In
Crl.M.P. No. 4522 of 2012
In
CRIMINAL PETITION NO: 4525 OF 2012

Between:

M/s. Indira Television Ltd., Having its Registered office at 6-3-249/1, Sakshi Towers, Road No.1, Banjara Hills, Hyderabad Rep. by its Assistant Manager Mr. B. Ramanjaneyulu.

...Petitioner/Petitioner

AND

Central Bureau of Investigation, Hyderabad.

...Respondent/Complainant



2021:TSHC:28351

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit the Petitioner to substitute the title deeds of M/s Revan Infra Pvt. Ltd., Bangalore (i.e., Doc. No. 2179 of 2010, 2177 of 2010 and 2181 of 2010, dt. 26/08/2010) deposited with the Principal Special Judge for CBI Cases, Nampally, Hyderabad vide Memo dt. 28/08/2012 by furnishing a bank guarantee or a fixed deposit for a sum of Rs. 59,78,000/-, subject to all other conditions enjoined upon the Petitioner vide the orders in CRLP No. 4525 of 2012.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G Ashok Reddy, Advocate for the Petitioner and the Mr. Srinivas Kapadia, Special Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER



THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

I.A.No.1 of 2024 in Crl.M.P.No.4520 of 2012 in Crl.P.No.4523 of 2012,
I.A.No.1 of 2024 in Crl.M.P.No.4521 of 2012 in Crl.P.No.4524 of 2012
&
I.A.No.1 of 2024 in Crl.M.P.No.4522 of 2012 in Crl.P.No.4525 of 2012

COMMON ORDER:

These three applications are filed invoking the provisions of Section 482 of the Cr.P.C./Section 528 of the BNSS seeking permission to the petitioners to substitute bank guarantee or a fixed deposit for a sum of Rs.4,95,00,000/-, Rs.23,42,000/- and Rs.59,78,000/- respectively, in place of the title deeds of M/s.Revan Infra Private Limited, Bangalore, which were deposited before the learned Principal Special Judge for CBI Cases, Hyderabad, *vide* Memo dated 28.08.2012.

2. Brief facts of the case:

2.1. That the petitioners were arrayed as accused Nos.12, 13 and 10 respectively in C.C.No.8 of 2012 in RC.No.19/2011(A)/2011-CBI, Hyderabad, for the offences under Sections 120B, 409 and 477-A of the IPC and Section 13(ii) read with (i)(c) and (d) of the Prevention of Corruption Act, 1988, which is pending on the file of the learned Principal Special Judge for CBI Cases, Nampally, Hyderabad, (for short, 'the trial Court') and the respondent CBI froze the bank accounts of the petitioners. The petitioners have filed applications, namely



Crl.M.P.No.1001, 1002 and 1004 of 2012, in C.C.No.8 of 2012 before the trial Court invoking the provisions under Section 451 read with 457 of the Cr.P.C. seeking to direct the respondent to defreeze the accounts of the petitioners and the said applications were dismissed, by way of a common order dated 14.05.2012. Aggrieved by the above said common order, the petitioners have approached this Court and filed Crl.P.Nos.4523, 4524 and 4525 of 2012 respectively, seeking to set aside the order dated 14.05.2012 and consequently to allow the applications filed by them before the trial Court. Along with the above said criminal petitions, the petitioners have also filed applications, namely Crl.M.P.Nos.4520, 4521 and 4522 of 2012 seeking interim order directing the respondent to defreeze the accounts forthwith. This Court on 23.05.2012 by way of common order granted interim direction to the petitioners to furnish the bank guarantee for the total sum that has been lying in the current accounts that have been freezed by the respondent to the satisfaction of the trial Court within two weeks, and the petitioners shall be permitted to operate the accounts.

2.2. Thereafter, the petitioners filed other applications, namely Crl.M.P.Nos.4843, 4844 and 4845 of 2012, seeking modification of the common order dated 23.05.2012 to the extent that the



respondent to defreeze the petitioners' current accounts without insisting on a bank guarantee or in the alternative direct the respondent to defreeze the current account by relaxing the condition of furnishing the bank guarantee with regard to the quantum and also extend the period for providing such bank guarantee by a further period of six weeks. On 06.07.2012, this Court passed order by relaxing the condition that the petitioners to furnish bank guarantee for half of the amount lying in the current accounts and on further condition of furnishing security by depositing the title deeds of any immovable property or properties of the petitioners worth more than Rs.5 crores i.e., other than the properties in respect of which orders have already been passed earlier on 23.05.2012, to the satisfaction of the trial Court and the respondent shall defreeze the petitioners' current accounts. Pursuant to the said orders, the petitioners furnished the bank guarantees and also deposited three title deeds to an extent of Ac.9.00 worth of Rs.6,30,00,000/- which belongs M/s.Revan Infra Private Limited through Memo dated 28.08.2012 before the trial Court.

2.3. On 01.11.2021, this Court disposed of CrI.P.Nos.4523, 4524 and 4525 of 2012 by way of a common order, observing that as the learned Special Public Prosecutor for CBI did not state that the conditions imposed in the interim order dated



23.05.2012 are being violated or followed by the petitioners, in view of the same, the common order dated 23.05.2012 passed in Crl.M.P.Nos.4520, 4521 and 4522 in Crl.P.Nos.4523, 4524 and 4525 of 2012 was made absolute and it shall be in force till the final termination of the proceedings in the subject C.C.

2.4. That the petitioners filed the present applications seeking modification of the order dated 06.07.2012 permitting the petitioners to substitute the bank guarantee or a fixed deposit for a sum of Rs.4,95,00,000/-, Rs.23,42,000/- and Rs.59,78,000/- respectively, being the balance amount lying in the current accounts of the petitioners at the time of freezing their bank accounts and to direct the learned trial Court to return the title deeds, which were deposited, pursuant to the Memo dated 28.08.2012

3. Heard Mr. G. Ashok Reddy, learned counsel for the petitioners, and Mr. Srinivas Kapadia, learned Special Public Prosecutor appearing for the respondent CBI.

4. Submissions of learned counsel for the petitioners:

4.1. Learned counsel submitted that the petitioners have complied with the orders dated 06.07.2012 by furnishing the bank guarantee and also deposited the title deeds worth more than Rs.5 crores which belongs to M/s. Revan Infra Private Limited on 28.08.2012 before the trial Court, and M/s. Revan



Infra Private Limited approached the petitioners for release of their title deeds and in those circumstances, the petitioners approached this Court and filed these applications. The petitioners are ready and willing to furnish the bank guarantee or a fixed deposit for equivalent amount i.e., 50% of the amount lying in the current accounts of the petitioners at the time of freezing. By virtue of the return of the title deeds/documents and the substitution of the bank guarantee/fixed deposit, no prejudice would be caused to the respondent as the petitioners are not seeking review or relaxation of any of the conditions imposed by this Court dated 23.05.2012 or 06.07.2012. Hence, the petitioners are entitled to the relief.

4.2. In support of his contention, he relied upon the following judgments:

1. **Ganesh patel v. Umakanth Rajoria¹; and**
2. **Sandeep Sing v. State of NCT of Delhi and another²**

5. Submissions of learned Special Public Prosecutor:

5.1. *Per contra*, learned Special Public Prosecutor submitted that the applications filed by the petitioners are not maintainable under law, especially the nature of the relief sought by the petitioners amounts to alter/review of the orders

¹ 2022 SCC OnLine SC 2050

² 2022 SCC OnLine Del 1466



passed by this Court dated 06.07.2012 and 01.11.2021, in view of the bar under Section 362 of the Cr.P.C. He further submitted that the interim orders dated 23.05.2012 and 06.07.2012 were merged in the final orders passed by this Court dated 01.11.2021 and the said common order has become final. The petitioners ought to have questioned the common order dated 01.11.2021 before the Hon'ble Apex Court, on the other hand, filed the present applications.

5.2. He further submitted that the properties covered under the title deeds of M/s.Revan Infra Private Limited, which were deposited by the petitioners in compliance of the order dated 06.07.2012, were purchased through crime proceeds, hence, they are not entitled to seek return of the title deeds till the disposal of the main case.

5.3. He also submitted that the properties belong to M/s.Revan Infra Private Limited were attached by the Directorate of Enforcement under the provisions of the Money Laundering Act, 2002 in ECIR/09/HZO/2011. Aggrieved by the said attachment, M/s. Revan Infra Private Limited filed appeal before the Appellate Tribunal for SAFEMA, FEMA, PMLA, NDPS & PBPT Act at New Delhi and the appeal was allowed in part along with other appeals on 26.07.2019. Aggrieved by the above said order, the Directorate of Enforcement filed appeal before this



Court, *vide* C.M.S.A.No.24 of 2019, and the said appeal is pending. Unless said appeal is decided, the petitioners are not entitled to seek return of the title deeds pertaining to M/s.Revan Infra Private Limited, as the issue is pending before the Division Bench.

5.4. He further submitted that the petitioners filed applications *vide* Crl.M.P.Nos.5543, 5581 and 5703 of 2012, seeking modification of the conditions imposed by this Court and the said applications were dismissed by this Court on 08.08.2012 by imposing costs.

5.5. He further submitted that the petitioners filed the present applications after disposal of the main criminal petitions with a lapse of long period seeking modification of the orders dated 06.07.2012 without giving any reasons and the petitioners ought to have filed the applications before the trial Court only. Hence, the applications filed by the petitioners are liable to be dismissed with costs.

5.6. In support of his contentions, he relied upon the following judgments.

1. **Abdul Basit alias Raju and others v. Mohd. Abdul Kadir Chaudhary and another³;**

³ (2014) 10 SCC 754



2. **Vikram Bakshi and others v. R.P. Khosla and another⁴;**
3. **Supertech Limitd v. Emerald Court Owner Resident Welfare Association and others⁵; and**
4. **Ramyash @ Lal Bahadur v. The State of Uttar Pradesh and another Etc. Etc.⁶**
6. **Reply submissions of learned counsel for the petitioners:**

6.1. Learned counsel submitted that the properties attached by the Directorate of Enforcement under PMLA Act are not purchased from crime proceeds, especially the Directorate of Enforcement admitted the same before the Hon'ble Apex Court in Special Leave Petition (Criminal) Diary No.22285 of 2023 and the said S.L.P. was dismissed on 14.07.2023 and pendency of C.M.S.A.No.24 of 2019 has nothing to do with the present applications.

6.2. He further stated that the judgments relied upon by learned Special Public Prosecutor are not applicable to the facts and circumstances of the case on the ground that the petitioners are not seeking for review or alter of the earlier orders passed by this Court and the bar under Section 362 of the Cr.P.C. is not applicable.

⁴ 2025 SCC OnLine SC 1783

⁵ (2023) 10 SCC 817

⁶ 2025 SCC OnLine SC 901

**Analysis:**

7. Having considered the rival submissions made by the respective parties and after perusal the material available on record, it reveals that the petitioners are accused Nos.12, 13 and 10 respectively in C.C.No.8 of 2012 in RC.No.19/2011(A)/2011-CBI, Hyderabad, before the trial Court, and the same is pending. It is not in dispute that the respondent froze the bank accounts of the petitioners in the above said case and the petitioners filed the applications, namely, CrI.M.P.No.1001, 1004 and 1002 of 2012 in C.C.No.8 of 2012, invoking the provisions under Section 451 read with 457 of the Cr.P.C. seeking to direct the respondent to defreeze their bank accounts. The trial Court dismissed the said applications by way of a common order dated 14.05.2012. Aggrieved by the above said common order, the petitioners have approached erstwhile High Court of Andhra Pradesh at Hyderabad and filed CrI.P.Nos.4523, 4524 and 4525 of 2012 respectively invoking the provisions of Section 482 of the Cr.P.C. seeking to set aside the order dated 14.05.2012 and consequently sought the relief by allowing the applications filed by them before the trial Court. Along with the above said criminal petitions, the petitioners have also filed applications, namely CrI.M.P.Nos 4520, 4521 and 4522 of 2012, seeking interim order to direct the respondent to



defreeze the accounts forthwith. The erstwhile High Court of Andhra Pradesh at Hyderabad by way of a common order dated 23.05.2012 granted interim order directing the petitioners to furnish the bank guarantee for the total sum that has been lying in the current accounts that have been freezed by the respondent to the satisfaction of the trial Court within two weeks.

8. The record further reveals that thereafter, the petitioners have filed applications, namely Crl.M.P.Nos.4843, 4844 and 4845 of 2012, seeking modification of the common order dated 23.05.2012 and to direct the respondent to defreeze the petitioners' current accounts without insisting on a bank guarantee or in the alternative, direct the respondent to defreeze the account by relaxing the condition of furnishing the bank guarantee with regard to the quantum and also extend the period for providing such bank guarantee by a further period of six weeks. On 06.07.2012, the erstwhile High Court of Andhra Pradesh at Hyderabad was pleased to relaxed the condition which was imposed earlier i.e, on 23.05.2012.

9. The operative portion of the order dated 06.07.2012 reads as follows:

"In view of the peculiar circumstances of the case and having regard to the facts and circumstances of the case and since all the transactions have to be done by



observing the conditions imposed by this Court vide its common order dated 23.05.2012, I am inclined to relax the conditions as follows:-

“On condition of the petitioner furnishing bank guarantee for half of the amount lying in the current accounts and on further condition of furnishing security by depositing the title deeds of any immovable property or properties of the petitioners worth more than Rs.5.00 crores (i.e., other than the properties in respect of which orders have already been passed earlier on 23.05.2012) to the satisfaction of the Principal Special Judge for CBI Cases, Hyderabad, the respondents shall defreeze the petitioners current accounts.”

10. Even according to the parties, pursuant to the above said order dated 06.07.2012, the petitioners have furnished bank guarantee for half of the amount lying in the current accounts and deposited the title deeds of immovable property i.e., Ac.9.00 gts. of land, worth of Rs.6,30,00,000/-, belonging to M/s.Revan Infra Private Limited, through a Memo dated 28.08.2012 before the trial Court. In view of the compliance of the conditions dated 23.05.2012, on 01.11.2021 this Court disposed of the Criminal Petition Nos.4523, 4524 and 4525 of 2012 by making the earlier interim order dated 23.05.2012 as absolute.

11. That the petitioners filed the present applications seeking permission to furnish bank guarantee or a fixed deposit for a sum of Rs.4,95,00,000/-, Rs.23,42,000/- and Rs.59,78,000/-



respectively, in place of title deeds of M/s.Revan Infra Private Limited.

12. Insofar as the contention raised by the learned Special Public Prosecutor that once main criminal petitions are disposed of on 01.11.2021 and the earlier interim orders were merged in the final order, unless the said order is questioned and set aside, the petitioners are not entitled to seek modification of the order dated 06.07.2012 is also not tenable under law on the ground that the erstwhile High Court of Andhra Pradesh at Hyderabad initially granted interim order on 23.05.2012 directing the petitioners to furnish the bank guarantee to the total sum that has been lying in the current accounts that have been freezed by the respondent and permitted the petitioners to operate their bank accounts and the said order was modified on 06.07.2012 directing the petitioners to furnish bank guarantee for the half (50%) of the amount lying in the current accounts and for remaining 50% of the amount on furnishing security by depositing the title deeds of any immovable property or properties of the petitioners. Subsequently, the main criminal petitions, namely Crl.P.Nos.4523, 4524 and 4525 of 2012, were disposed of by way of a common order dated 01.11.2021 making the interim order dated 23.05.2012 as absolute.



13. The operative portion of the said order reads as follows:

“As seen from the material placed on record, this Court vide common order, dated 23.05.2012, passed in Cri.P.M.P.Nos. 4520, 4521 and 4522 of 2012 in these Criminal Petitions, by giving elaborate reasons, was pleased to make an interim arrangement with regard to operation of the subject Bank Accounts and management of the business of the petitioners-companies and protected the interest of the petitioners-companies. It is pertinent to state that the learned Special Public Prosecutor for CBI did not state that the conditions imposed in the interim order dated 23.05.2012 are being violated by the petitioners herein. On the other hand, it is submitted that the conditions laid down therein are followed.

4. In view of the facts and circumstances of the cases, as the interest of the petitioners-companies, its employees etc., needs protection till the termination of the proceedings in C.C.No.8 of 2012 pending on the file learned Principal Special Judge for CBI Cases, Hyderabad, the common order, dated 23.05.2012, passed in Cri.M.P.Nos. 4520, 4521 and 4522 of 2012 in Cri.P.Nos. 4523, 4524 and 4525 of 2012, is made absolute and it shall be in force till the final termination of the proceedings in the subject C.C.”

14. Insofar as the other ground raised by the learned Special Public Prosecutor is that the Joint Director, Directorate of Enforcement passed the Provisional Attachment Order No.2 of 2016 dated 29.06.2016 invoking the provisions of Section 5(1) of the Prevention of Money Laundering Act, 2002, and attached the properties of M/s.Revan Infra Private Limited on the ground that the same were purchased out of the crime proceeds and



aggrieved by the said attachment order, M/s.Revan Infra Private Limited has filed appeal before the Appellate Tribunal and the same was partly allowed on 26.07.2019; and aggrieved by the said order, the Directorate of Enforcement filed C.M.S.A.No.24 of 2019 before the Division Bench of this Court, which is still pending, unless and until the said appeal is decided, the petitioners are not entitled to seek return of the documents/title deeds of M/s.Revan Infra Private Limited, which were deposited in C.C.No.8 of 2012 pursuant to the order dated 06.07.2012. Whereas, the specific case of the learned counsel for the petitioners is that the properties, which were attached by the Directorate of Enforcement belongs to M/s.Revan Infra Private Limited, have not been purchased from crime proceeds, especially the Division Bench in the order dated 28.11.2022 in I.A.No.1 of 2021 in I.A.No.2 of 2019 in C.M.S.A. No.24 of 2019 held that the attached property of M/s.Revan Infra Private Limited is not procured through crime proceeds and the said order was confirmed by the Hon'ble Apex Court in Special Leave Petition (Criminal) Dairy No(s).22285 of 2023 dated 14.07.2023.

15. With regard to the above said contentions raised by the either of the parties, this Court is not inclined to deal with those aspects on the ground that the nature and scope of the applications are very limited, as the petitioners are seeking for substitution of bank guarantee or a fixed deposit in the place of



title deeds in compliance with the orders dated 23.05.2012 and 06.07.2012. Even according to the parties, neither M/s.Revan Infra Private Limited nor the Directorate of Enforcement are parties in the present applications, and M/s.Revan Infra Private Limited has not been arrayed as an accused in C.C.No.8 of 2012.

16. The core contention of the learned Special Public Prosecutor that the petitioners are not entitled to the relief sought by them in the present applications as it amounts to review of the orders passed by this Court, which is not permissible under law, especially in view of specific bar under Section 362 of the Cr.P.C. is concerned, the petitioners are not seeking for a review/alter the orders of this Court and they filed the applications seeking substitution of furnishing bank guarantee or a fixed deposit in the place of title deeds in compliance with the orders dated 23.05.2012 and 06.07.2012.

17. In **Ganesh Patel** *supra*, the Hon'ble Supreme Court noted that after the petitioner's appeal and application for condonation of delay under Section 5 of the Limitation Act were dismissed by the Sessions Court on 23.09.2015, he nevertheless approached the High Court under Section 482 Cr.P.C. by asserting that a compromise had been reached, and obtained an ex parte order dated 13.10.2017; however, on the respondent's



application pointing out that the order had been procured in his absence and on false premises, the High Court rightly recalled the said order, such recall being maintainable as a procedural review not barred by Section 362 Cr.P.C., in line with the principles explained in **Budhia Swain v. Gopinath Deb**⁷.

18. In **Sandeep Singh** *supra*, the High Court of Delhi held that an order granting superdari under Section 451 Cr.P.C. being interlocutory in nature and meant only to ensure safe custody of property during trial must nevertheless be preceded by notice to and hearing of all affected parties, and since the initial release of the moulds was made without hearing respondent No. 2, who claimed an equal interest as a partner, the Trial Court was justified in recalling and modifying that order, such power being inherent in Section 451 Cr.P.C. as recognized in **Smt. Anisa Begum v Masoom Ali**⁸ and other precedents. In the case on hand, the petitioners are seeking substitution of bank guarantee/fixed deposit in the place of title deeds and it only a procedural modification of an existing interlocutory arrangement, not affecting substantive rights.

19. In **Abdul Basit** *supra*, the Hon'ble Supreme Court held that even allegations of misrepresentation cannot justify reopening a final bail order; in **Vikram Bakshi** *supra*, it was

⁷ (1999) 4 SCC 396

⁸ 1985 SCC OnLine Del 382



clarified that Section 482 Cr.P.C. cannot be invoked to circumvent the prohibition on substantive review, subject only to narrow exceptions such as fraud, lack of jurisdiction, or non-representation of necessary parties and the court becomes *functus officio* once the order has been passed, under section 362 Cr.P.C. there is an absolute bar on any alteration or review of a concluded order, save for correction of clerical or arithmetical errors.; in **Supertech Ltd.** *supra*, the Hon'ble Supreme Court reaffirmed that final directions cannot be revisited through applications styled as clarification or modification; and in **Ramyash @ Lal Bahadur** *supra*, the Hon'ble Supreme Court categorically held regarding the transgression which amounts to a grave jurisdictional error. The above said judgments are not applicable to the facts and circumstances of the case on the ground that the petitioners are only seeking to substitute with the bank guarantee/a fixed deposit in place of title deeds.

20. It is already stated *supra*, the petitioners are not seeking for review or alter the orders dated 23.05.2012, 06.07.2012 or 01.11.2021, but they are only seeking for substitution of the bank guarantee/fixed deposit in the place of title deeds. Hence, this Court is of the *prima facie* view that the provisions of



Section 362 of the Cr.P.C. are not applicable to the facts and circumstances of the present applications.

21. For the foregoing reasons, the petitioners are permitted to furnish the bank guarantee for half of the amount lying in the current accounts of the petitioners at the time of freezing, from any nationalized bank to the satisfaction of the trial Court. Upon furnishing the bank guarantee, the trial Court is directed to return the documents/title deeds, which were deposited through Memo dated 28.05.2012, to the petitioners after due verification and authorization. It is needless to observe that any of the observations made in this order are only confined for the purpose of deciding these applications and this order will not preclude the parties concerned to agitate their rights in appropriate proceedings including in C.M.S.A.No.24 of 2019.

22. Accordingly, I.A.Nos.1 of 2024 are disposed of.

//TRUE COPY//

SD/- A.V.S.PRASAD
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Special Judge for CBI Cases, Hyderabad.
2. Two CCs to the Public Prosecutor, State of Telangana, High Court Buildings, at Hyderabad (OUT)
3. One CC to Sri G Ashok Reddy, Advocate [OPUC]
4. Two CD Copies

DL/PSL



2021:TSHC:28351

HIGH COURT

DATED:17/11/2025

COMMON ORDER

I.A. No.1 of 2024 in CrI.M.P.No. 4520 of 2012 in CrI.P. NO: 4523 OF 2012

I.A. No. 1 of 2024 in CrI. M.P. No. 4521 of 2012 in CrI.P. No. 4524 of 2012

&

I.A. No. 1 of 2024 in CrI.M.P. No. 4522 of 2012 in CrI.P. 4525 of 2012



I.A NOS. 1 OF 2024 ARE
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