



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 27TH DAY OF APRIL, 2026
BEFORE
THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
WRIT PETITION NO. 13493 OF 2026 (GM-POLICE)

BETWEEN:

SRI. SYED HIDAYAT ULLA
S/O LATE BASHEER
AGED ABOUT 63 YEARS
MANAGING DIRECTOR OF
M/S SYED MODERN RICE MILLS PVT. LTD.
HAVING ITS REGISTERED OFFICE AT:
PLOT NO.3B AND 3C
SURVEY NO. 119,
BANGARPET INDUSTRIAL AREA. DASARAHALLI,
ROBERTSONPET,
KOLAR, KARNATAKA - 563 162.
SENIOR CITIZEN BENEFIT NOT CLAIMED

...PETITIONER

(BY SRI. SWAROOP S, ADVOCATE)

AND:

1. CRIMINAL INVESTIGATION DEPARTMENT
ECONOMIC OFFENCE DIVISION
NO. 1, CARLTON HOUSE,
PALACE ROAD,
BENGALURU - 560 001.
BY DETECTIVE POLICE INSPECTOR
2. THE STATE OF KARNATAKA
BY GURMITKAL POLICE STATION
YADAGIRI - 585 201.
REPRESENTED BY SPP



HIGH COURT BUILDING
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED POLICE NOTICE DATED 27.02.2026 BEARING NO. CID/EOD/GURMITKAL PS/169/2025 ISSUED BY THE RESPONDENT (ANNEXURE-A) AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

This writ petition is filed assailing the Police Notice dated 27.02.2026 bearing No.CID/EOD/GURMITKAL PS/169/2025 issued by respondent No.1.

2. Facts leading to the case are as follows:

The petitioner, who claims to be the Managing Director of M/s.Syed Modern Rice Mills Private Limited, is engaged in the business of rice trading, including import and export activities. The grievance projected in the present writ petition arises out of a Police Notice issued by respondent No.1-Investigating Agency in connection with



FIR registered in Crime No.169/2025. The petitioner is before this Court apprehending coercive action pursuant to the said notice.

3. The factual matrix, as borne out from the pleadings and records, would indicate that the subject FIR came to be registered pursuant to a raid conducted by the jurisdictional authorities on M/s.Shree Laxmi Venkateshwara Industries and M/s.Shree Laxmi Balaji Rice Industries, situated on Chandraki Road, Gurumitkal Town. The complaint alleges that substantial quantities of rice, which were originally earmarked for distribution under the Public Distribution System (PDS) to economically weaker sections, were found stocked in the said mills. It is further alleged that such rice was illegally diverted, re-polished and thereafter introduced into the open market for commercial gain. On the strength of these allegations, Crime No.169/2025 has been registered for cognizable offences.



4. The petitioner's name does not find place in the FIR as an accused. However, the Investigating Agency, upon collection of preliminary material, appears to have formed an opinion that the petitioner may have purchased part of the said rice which is allegedly diverted from the PDS stream. In that backdrop, a Police Notice is issued to the petitioner calling upon him to furnish information and assist the investigation.

5. Learned counsel for the petitioner would vehemently contend that even as per the recitals in the FIR, the principal allegations against the named accused is that they re-processed and sold the rice in the open market, and the petitioner, being a trader, has purchased the commodity in the ordinary course of business without knowledge of its alleged illicit origin. It is therefore contended that there is a real and imminent apprehension that the petitioner may be falsely implicated and subjected to arrest under the guise of investigation, necessitating protective intervention by this Court.



6. *Per-contra*, learned Additional Government Advocate, on instructions, would submit that the impugned notice is issued strictly in exercise of statutory powers under Section 179 of the Bharatiya Nagarik Suraksha Sanhita (BNSS). It is contended that the petitioner is only called upon to appear and furnish information relevant to the investigation and no prejudice is caused at this stage. It is further contended that instead of complying with the notice and co-operating with the investigation, the petitioner has rushed to this Court seeking to interdict the investigative process, which is impermissible in law. Learned AGA would thus submit that the writ petition is premature and liable to be dismissed.

7. Having given anxious consideration to the rival submissions and upon perusal of the material on record, this Court is of the considered view that the allegations pertain to diversion of essential commodities under the Public Distribution System, which is a matter of serious concern having larger societal ramifications. Economic



offences of this nature, particularly involving diversion of subsidized food grains meant for vulnerable sections, cannot be lightly viewed. If, in the course of investigation, the Investigating Officer has gathered prima facie material necessitating the presence of the petitioner for eliciting information, the petitioner is duty-bound to respond to such notice and co-operate with the investigation.

8. At this stage, it is trite that this Court, in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India, would not ordinarily interfere with the investigative process, unless a clear case of abuse of process or patent illegality is demonstrated. A mere apprehension of arrest, without substantiating any imminent illegality or *mala fide* exercise of power, cannot be a ground to stultify a lawful investigation. At the same time, the apprehension of the petitioner that coercive steps may be taken without due process cannot be brushed aside and requires to be suitably balanced.



9. In the above backdrop, while this Court is not inclined to interdict the investigation, it deems it appropriate to safeguard the petitioner against unwarranted coercive action during the course of compliance with the notice.

10. For the foregoing reasons, this Court proceeds to pass the following;

ORDER

(i) The writ petition stands disposed of, directing the petitioner to comply with the Police Notice issued by respondent No.1 and co-operate with the investigation, including furnishing all relevant information and documents as may be required in connection with Crime No.169/2025.

(ii) Respondent No.1 – Investigating Agency shall ensure that, while securing the presence of the petitioner and recording his statement, no coercive steps are taken, except in accordance with procedure established by law.



(iii) It is made clear that this order shall not preclude the Investigating Officer from proceeding in accordance with law and taking necessary action against any person, including the petitioner, if material so warrants, at the appropriate stage, in accordance with law.

(iv) All contentions of the parties are left open.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**