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APHC010337462025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3332]**
(Special Original Jurisdiction)

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT:THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CRIMINAL PETITION NO: 7888/2025

ALONG WITH

WRIT PETITION Nos.19734, 31644, 32169 & 34423 of 2025

CRIMINAL PETITION No.7888 of 2025

Between:

1. POCHINAPEDDI BALASUBRAHMANYAM, S/O LATE P.PAPAYYA, AGE 55 YEARS. PRESENT WORKING AS SENIOR SUPERINTENDENT-RAILWAY MAIL SERVICE, MA DIVISION, MADURAI-625001 PRESENT RESIDING AT PLOT NO-1 D, KAVIYAN APARTMENT, NEHRU NAGAR, BYE-PASS ROAD, MADURAI-625016,TAMILNADU. EMAIL ID DISCASSISTANCE@GMAIL.COM MOBILE NO.-9491198428. PREVIOUS WORKED AS SENIOR SUPERINTENDENT OF POST OFFICES, BHIMAVARAM DIVISION, BHIMAVARAM PREVIOUS RESIDENT ADDRESS DOOR NO.4-10/1, SETTIBALIJA, RAMALAYAM SIDE, NEAR VIJAYA CLINIC,RAYALAM, BHIMAVARAM, DOOR NO.70-17A-29/2B, SASIKANTH NAGAR, KAKINADA.

...PETITIONER/ACCUSED

AND

1. THE STATE OF AP, ,REP. BY INSPECTOR OF POLICE, CBI /ACB ,1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17 REP., BY ITS SPECIAL PUBLIC PROSECUTOR FOR CBI HIGH COURT, NELAPADU, AMARAVATHI.

2. SRI SALA RAMUDU, POSTMAN, HEAD POST OFFICE, PALAKOL-534260, WEST GODAVARI DISTRICT, ANDHRA PRADESH. MOBILE NO. 6300284159.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Courtmay be pleased to call for the records of CC No 12/2024 on the file of Hon'ble Special Judge for CBI Court, Vijayawada, and to quash the proceedings and to grant

IA NO: 1 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased pleased to dispense with filing of the certified copy of the CC No 12/2024 on the file of Hon'ble Special Judge for CBI Court, Vijayawada in the interest of justice

IA NO: 2 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased pleased to order stay of all the proceedings in C.C. No.12/2024 on the file of Hon'ble Special Judge for CBI Court, Vijayawada including appearance of the petitioner, pending disposal of this Criminal Petition and to pass

IA NO: 3 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased may be pleased to direct the office to amend the cause title in respect of 1st respondent as Union of India Rep. by Inspector of Police, CBI /ACB ,1-83-21/A, MVP Colony, Sector 8, Visakapatnam-17 Rep., by its Special Public Prosecutor for CBI, High court, Nelapadu, Amaravathi instead of The State of A.P.,Rep. by Inspector of Police, CBI /ACB ,1-83-21/A, MVP Colony, Sector 8, Visakapatnam-17 Rep., by its Special Public Prosecutor for CBI High court, Nelapadu, Amaravathi. in the interest of justice and pass

IA NO: 1 OF 2026

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased may be pleased to receive the aforesaid documents i.e. (i) Copy of the Sanction Order for prosecution issued against the petitioner Sri P Balasubrahmanyam, (ii) Copy of the petition filed by the petitioner before the learned Trial Court seeking day-to-day trial, (iii) Copy of the order of this Hon'ble High Court in CrI.RC. Nos. 1211 and 1212 of 2024, and (iv) Docket orders of the learned Trial Court in C.C. No.12 of 2024 regarding the presence of the accused before the Trial Court as additional documents for the just and proper adjudication of the Criminal Petition and in the interest of justice..

Counsel for the Petitioner/accused:

1. PARTY IN PERSON

Counsel for the Respondent/complainant(S):

1. P S P SURESH KUMAR, Spl. Public Prosecutor for CBI

WRIT PETITION NO: 19734/2025

Between:

1. P BALASUBRAHMANYAM, I.PO.S., SENIOR SUPERINTENDENT, RAILWAY MAIL SERVICE, MA DIVISION, MADURAI-625001 RESIDING AT PLOT NO-ID, KAVIYAN APARTMENT, NEHRU NAGAR, BYE-PASS ROAD, MADURAI-625016, TAMILNADU. EMAIL ID DISCASSISTANCE@GMAIL.COM MOBILE NO.-9491198428.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRATERIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE INSPECTOR OF POLICE, CBI /ACB ,1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
3. SRI R SUDHIRKUMAR, INVESTIGATION OFFICER AND INSPECTOR OF POLICE CBI-ACB, VISAKHAPATNAM.
4. SRI R MANOHAR REDDY, INSPECTOR OF POLICE, CBI-ACB, VISAKHAPATNAM-500017

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction particularly one in the nature of Writ of Certiorari more (i) calling for the records relating to and connected orders of the Petitioners arrest dated 19-12-2023 arising out FIR No.RC.23(A)/2023 dated 19-12-2023 respondent and remand order dated 20-12-2023 with the lodged by the and other consequent orders arising out of the arrest and to declare the act of arrest as illegal and void ab initio as the arrest was effected without service of grounds of arrest in violation of the mandate of Section 47 of BNSS (Section-50 of Crpc) and the constitutional provisions of Article-21 and 22 (1). (II) to declare the act of arrest as contemptuous of the orders on arrest guidelines issued by the Honble Supreme Court between D K Basu vs State of West Bengal (AIR 1997, SC 610) and to initiate contempt proceedings against the respondents 3 and 4 and directing the competent authority in the CBI to initiate departmental disciplinary action for the misconduct on the part of the respondents 3 and 4 as ordered by the Honble Supreme Court in D K Basu case (supra) and reiterated in its latest orders between Vijay Pal Yadav vs Mamta Singh dated 26-03-2025 in the interest of justice and to pass such

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to dispense with the filing of the certified copy of the FIR No.RC 23(A)/2023 dated 19-12-2023, and pass to such

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the office to amend the cause title in respect of 1st respondent as Union of India Rep. by Inspector of Police, CBI /ACB ,1-83-21/A, MVP Colony, Sector

8, Visakapatnam-17 Rep., by its Special Public Prosecutor for CBI, High court, Nelapadu, Amaravathi instead of The State of Andhra Pradesh, Rep., by its Principal Secretary, Home Department, Secrateriat, Velagapudi, Amaravathi, Guntur District. in the interest of justice and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to strike off Respondent Nos. 3 & 4 from the array of parties and dismiss the Writ Petition against Respondent Nos. 3 & 4 and pass

IA NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to receive the aforesaid documents i.e.i) Copy of Remand Report dated 20.12.2023 of the Honble Judge of Special Judge for CBI Cases, Vijayawada,ii) Copy of Medical examination report dated 20.12.2023 conducted in respect of the Petitioner Sri P Balasubrahmanyam, as additional documents for the just and proper adjudication of the Criminal Petition and in the interest of justice.

Counsel for the Petitioner:

1. PARTY IN PERSON

Counsel for the Respondent(S):

1. P S P SURESH KUMAR, Spl. Public Prosecutor for CBI

WRIT PETITION NO: 31644/2025

Between:

1. P BALASUBRAHMANYAM, I.PO.S., SENIOR SUPERINTENDENT-RAILWAY MAILS AT PLOT NO-1D, KAVIYAN APARTMENT, BYE PASS ROAD, NEHRU NAGAR, MADURAI-625016. TAMILNADU, MOBILE NO. 9491198428, EMAIL ID- DISCASSISTANCE@GMAIL.COM

...PETITIONER

AND

1. THE UNION OF INDIA, REP., BY ITS SECRETARY, MINISTRY OF HOME AFFAIRS. ROOM NO 113, NORTH BLOCK, NEW DELHI-110001.

2. THE DIRECTORCBI, PLOT NO-5B, CGO COMPLEX, LODHI ROAD, NEW DELHI-110003.
3. THE INSPECTOR OF POLICE, CBI /ACB ,1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17 REP., BY ITS SPECIAL PUBLIC PROSECUTOR FOR CBI HIGH COURT, NELAPADU, AMARAVATHI VISAKHAPATNAM-530017
4. SRI MURALI RAMBHA, THE THEN SUPERINTENDENT OF POLICE CBI-ACB, NOW WORKING AS DEPUTY INSPECTOR-GENERAL OF POLICE, 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
5. N RAGHAVENDRAKUMAR, DY SUPERINTENDENT OF POLICE, SUPERINTENDENT OF POLICE CBI/ACB, 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
6. SRI R MANOHAR REDDY, INSPECTOR OF PLICE, CBI/ACB SUPERINTENDENT OF POLICE CBI/ACB 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
7. SRI R SUDHIR KUMAR, INSPECTOR OF POLICE, CBI/ACB, SUPERINTENDENT OF POLICE CBI/ACB 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
8. SRI N JOGARAO, INSPECTOR OF POLICE CBI/ACB SUPERINTENDENT OF POLICE CBI/ACB 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
9. SRI RAJU SINGH, ASSISTANT SUB-INSPECTOR OF POLICE CBI-ACB SUPERINTENDENT OF POLICE CBI/ACB, 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
10. SRI CH PRASADARAO, HEAD CONSTABLE, CBI/ACB, SUPERINTENDENT OF POLICE CBI/ACB 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
11. SRI A SANKARARAO, POLICE CONSTABLE, CBI/ACB, SUPERINTENDENT OF POLICE CBI/ACB, 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17
12. SRI B CHANDRASEKHAR, POLICE CONSTABLE, CBI/ACB, SUPERINTENDENT OF POLICE CBI/ACB 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17

13. SRI P ANILKUMAR EMP CODE NO 657352, S/O LATE VARA PRASAD, ASSISTANT MANAGER, UNION BANK OF INDIA, MAIN BRANCH, JP ROAD, NEAR RAMU SWEETS, BHIMAVARAM-534201. MOBILE NO-8374117295.
14. SRI G SATISHKUMAR EMP CODE NO 691209, S/O SRI G. DEMUDU, ASSISTANT MANAGER, UNION BANK OF INDIA, BUDHAVARAM MARKET BRANCH, BHIMAVARAM-534201. MOBILE NO-9985792920.
15. SRI SALA RAMUDU, S/O BASAVAKOTA SANKARAYYA, POSTMAN, HEAD POST OFFICE, PALAKOL, W.GODAVARI DISTRICT., AP. MOBILE NO, 6300284159, 9177855184.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, order or direction, more in the nature of Writ of Mandamus, to declare the search operation of the CBI instituted on my house on 19/20-12-2023 in relating to and connection with the CC.No.12/2024 on the file of Hon'ble Special Judge court for CBI cases, Vijayawada as illegal, arbitrary, legally unsustainable and violative of the provisions of Article-14, 15,16 and 21 of the Constitution of India and to direct the Respondents 1 to 2 to initiate criminal prosecution and departmental disciplinary action against the respondents 4 to 15 for having acted in deliberate defiance of the law and the CBI manual provisions in intruding and searching my house at odd unearthly hours in the name of search in violation of my fundamental rights and to pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents 1 to 2 to restrain the respondents 3 to 15 not to fabricate any document relating to search operation now, pending disposal of the above writ petition and to pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May

be pleased to receive additional material papers as part and parcel of this Writ Petition and to pass

IA NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to strike off the Respondent Nos. 4 to 15 from the array of parties and dismiss the Writ Petition against the Respondent Nos. 4 to 15 and pass

Counsel for the Petitioner:

1. PARTY IN PERSON

Counsel for the Respondent(S):

1. P S P SURESH KUMAR, Spl. Public Prosecutor for CBI

WRIT PETITION NO: 32169/2025

Between:

1. P BALASUBRAHMANYAM, I.PO.S., SENIOR SUPERINTENDENT, RAILWAY MAIL SERVICE, MA DIVISION, MADURAI-625001 RESIDING AT PLOT NO-ID, KAVIYAN APARTMENT, NEHRU NAGAR, BYE-PASS ROAD,MADURAI-625016, TAMILNADU. EMAIL ID DISCASSISTANCE@GMAIL.COM MOBILE NO.-9491198428

...PETITIONER

AND

1. UNION OF INDIA, REP. BY INSPECTOR OF POLICE, CBI /ACB ,1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17 REP., BY ITS SPECIAL PUBLIC PROSECUTOR FOR CBI HIGH COURT OF A.P, NELAPADU, AMARAVATHI
2. SRI R MANOHAR REDDY, TRAP LAYING OFFICER AND INSPECTOR OF POLICE, CBI-ACB, C/O SUPERINTENDENT OF POLICE, CBI BRANCH, VISAKHAPATNAM-530017.
3. SRI R SUDHIR KUMAR, INVESTIGATION OFFICER AND IN, CBI-ACB, C/O SUPERINTENDENT OF POLICE, CBI BRANCH VISAKHAPATNAM-530017.
4. SRI N RAGHAVENDRAKUMAR, DEPUTY SUPERINTENDENT OF POLICE, CBI-ACB, C/O SUPERINTENDENT OF POLICE, CBI BRANCH, VISAKHAPATNAM-530017.

5. SRI A SANKARARAO, HEAD CONSTABLE, CBI-ACB, C/O SUPERINTENDENT OF POLICE, CBI BRANCH VISAKHAPATNAM530017.
6. SRI N JOGARAO, INSPECTOR OF POLICE, CBI-ACB, C/O SUPERINTENDENT OF POLICE, CBI BRANCH, VISAKHAPATNAM 530017.
7. SRI CH PRASADARAO, HEAD CONSTABLE, CBI-ACB, C/O SUPERINTENDENT OF POLICE, CBI BRANCH, VISAKHAPATNAM 530017.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare that the cruelty perpetrated by the respondents when the petitioner was in their custody as arbitrary, illegal and violative of Articles-14, 19 and 21 of the Constitution of India and to further declare the torture inflicted by the respondents as an act of infringement of petitioner's fundamental rights by the respondents and an act of law breaking by the law enforcers and consequently to direct the 1st respondent to launch criminal prosecution against the respondents No. 2 to 7 herein for the physical, mental and psychological torture inflicted by them and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC 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.1 to conduct any interrogation under CCTV coverage in the presence of petitioner counsel, if such a contingency for interrogation arises, pending disposal of the writ petition in the interest of justice and pass

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1 St respondent to Launch criminal prosecution against the respondents No. 2 to 7 arraigned herein for the physical, mental and

psychological torture inflicted by them, pending disposal of the writ petition in the interest of justice and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to strike off Respondent Nos. 2 to 7 from the array of parties and dismiss the Writ Petition against Respondent Nos. 2 to 7 and pass

Counsel for the Petitioner:

1. PARTY IN PERSON

Counsel for the Respondent(S):

1. M UMA DEVI (CENTRAL GOVT COUNSEL)
2. P S P SURESH KUMAR, Spl. Public Prosecutor for CBI

WRIT PETITION NO: 34423/2025

Between:

1. P.BALASUBRAHMANYAM, I.PO.S.,, SENIOR SUPERINTENDENT-RAILWAY MAILS AT PLOT NO-1D, KAVIYAN APARTMENT, BYE PASS ROAD, NEHRU NAGAR, MADURAI-625016. TAMILNADU, MOBILE NO. 9491198428, EMAIL ID- DISCASSISTANCE@AMAIL.COM

...PETITIONER

AND

1. THE UNION OF INDIA, REP., BY ITS SECRETARY, MINISTRY OF HOME AFFAIRS. ROOM NO 113, NORTH BLOCK, NEW DELHI-110001.
2. THE DIRECTORCBI, PLOT NO-5B, CGO COMPLEX, LODHI ROAD, NEW DELHI-110003.
3. SUPERINTENDENT OF POLICE CBIACB, 1-83-21/A, MVP COLONY, SECTOR 8, VISAKAPATNAM-17

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, order or direction, more in the nature of Writ of Mandamus to declare the issuance of press release dated 21-12-2023 in

official CBI handles of Twitter (now known as X) and its official website as ultravires the constitutional provisions of Article-21 relating to and in connection with the CC.No.12/2024 on the file of Honble Special Judge court for CBI cases, Vijayawada as illegal, arbitrary, legally unsustainable and violative of the provisions of Article- 14, and 21 of the Constitution of India and to direct the Respondents 1 to 2 to initiate criminal prosecution and departmental disciplinary action against the 3rd respondent for orchestrating smearing campaign damaging my reputation with false information and to pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an interim order directing the respondents 1 and 2 for necessary action to take down the damaging false information from all internet desks hosted by the CBI on 21-12-2023 and 22-12-2023 and to issue a correctional press release forthwith pending disposal of the above writ petition and to pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to receive the aforesaid documents i.e.i) Copy of CBI Crime Manual - 2020 regarding publicity in Media about the cases (page no.394 to 397),ii) copy of Office Memorandum No.21/44/2008-PD/72 dated 09.01.2009 as additional documents for the just and proper adjudication of the Writ Petition and in the interest of justice.

Counsel for the Petitioner:

1. PARTY IN PERSON

Counsel for the Respondent(S):

1. DILIP JAYARAM S (CENTRAL GOVERNMENT COUNSEL)
2. P S P SURESH KUMAR, Spl. Public Prosecutor for CBI

COMMON ORDER

Criminal Petition No.7888 of 2025 is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of the proceedings in C.C. No.12 of 2024 on the ground that the material collected by the CBI does not legally establish the essential ingredients of demand and acceptance; that the complaint is retaliatory; and that the investigation, recovery, electronic evidence and sanction suffer from defects which make continuation of the prosecution an abuse of process.

2. W.P.No.19734 of 2025 is filed questioning the legality of the petitioner's arrest in RC No.23(A)/2023 on 19.12.2023 alleging that the grounds of arrest were not properly communicated and that the safeguards flowing from Articles 21 and 22(1) of the Constitution and the statutory provisions governing arrest were violated and sought consequential disciplinary action against the concerned CBI officers.

3. W.P.No.31644 of 2025 is filed questioning the search conducted at the petitioner's residential premises on the night of 19/20.12.2023 on the grounds of absence of lawful authorization, non-compliance with the safeguards governing search and seizure, absence or improper association of independent witnesses, irregular seizure of articles and non-supply or non-production of the search

records and thereby the petitioner seeks a declaration that the search was illegal and consequential departmental action against the officers concerned.

4. W.P.No.32169 of 2025 is filed alleging that the petitioner was ill-treated physically, mentally and psychologically while he was in CBI custody and during the course of interrogation. Invoking Articles 14, 19 and 21 of the Constitution, the petitioner seeks a declaration that the conduct of the respondent officials violated his fundamental rights and a direction for criminal action against the officers whom he has impleaded personally.

5. W.P.No.34423 of 2025 is filed challenging the press release issued by the CBI concerning the registration of the case, trap, remand and seizure on the ground that the publication contained false or prejudicial assertions, impaired his dignity and reputation, and violated Articles 14 and 21 of the Constitution and the petitioner seeks consequential criminal and departmental action against the officer responsible for the publication.

6.These five matters arise out of the same prosecution, namely C.C. No.12 of 2024 on the file of the learned Special Judge for CBI Cases, Vijayawada, though the relief claimed in each proceeding is distinct, but the events are interconnected. They are therefore, with the consent of parties, heard and

considered together to avoid repetition and are being disposed of by this Common order.

7. The contents of the petitions and written submissions can briefly be summarised as follows:

(i) The petitioner is an officer of the Indian Postal Service, Group-A cadre, and at the relevant point of time was functioning as Senior Superintendent of Post Offices, Bhimavaram Division. His case, in substance, is that the entire controversy had its origin in departmental action taken by him against the de facto complainant, Sri S. Sala Ramudu, who was working as a Postman. According to the petitioner, information was received in the department regarding the complainant's alleged involvement in a criminal case and concerning his antecedents. The petitioner states that he caused the matter to be verified through the departmental machinery and, acting in discharge of his official and disciplinary functions, placed the complainant under suspension. He maintains that the suspension was an administrative measure founded upon the material available and was neither personal nor actuated by any improper motive.

(ii) The de facto complainant became aggrieved by the suspension and developed animosity towards him. According to the petitioner, the later allegation of demand for illegal gratification was a retaliatory version brought into existence after the departmental action taken against the de facto complainant. He therefore asks the Court to examine the chronology beginning with the complaint against the Postman, the departmental inquiry and suspension, followed by the complainant's approaches to him and, thereafter, the complaint to the CBI. His specific case is that the prior disciplinary dispute with the de facto complainant supplies the motive for false implication and materially affects the credibility of the subsequent accusation.

(iii) The prosecution material does not establish, in the manner required by law, a demand for undue advantage, its acceptance by him, or the necessary nexus between such alleged demand and an official favour. According to him, the disciplinary process against the complainant had already been set in motion and was proceeding in accordance with the applicable service rules, and there was no pending favour which could legitimately be portrayed as being sold for consideration.

(iv) The prosecution refers to demands on earlier dates, including 03.12.2023 and 17.12.2023, whereas the written complaint and FIR are dated

19.12.2023. He questions why, if a demand of such magnitude had in fact been made, no immediate complaint was lodged. He also questions the prosecution versions concerning telephonic information allegedly given to the Superintendent of Police, receipt of a written complaint, transmission by email and the precise stage at which the CBI treated the information as disclosing a cognizable offence. According to him, the chronology of receipt, verification and registration has not been presented with the clarity expected in a trap case.

(v) The records relating to receipt of information, preliminary verification, assembly of officers and independent witnesses, arrangement of vehicles, travel and arrival, preparation of pre-trap proceedings and commencement of the operation must form one continuous and verifiable chronology. In his submission, gaps or inconsistencies in those contemporaneous records are material because the prosecution case substantially depends upon the integrity of the trap proceedings.

(vi) The manner in which the conversation allegedly recorded by the complainant on 17.12.2023 and the conversation said to have been recorded during the trap on 19.12.2023 were created, received, copied, preserved and transmitted. He contends that the original source devices, complete identifying particulars, hash values, forensic images, dates and times of copying and an

uninterrupted chain of custody have not been satisfactorily demonstrated in the material relied upon by the prosecution. According to him, where the prosecution relies heavily upon digital conversations, the integrity of the source and every material stage of preservation assumes significance.

(vii) the transcripts and recorded conversations, even if taken at face value for the limited purpose of the petitions, do not clearly establish the specific demand attributed to him. He submits that ambiguous words, gestures or subsequent conduct cannot be substituted for proof of a conscious demand and acceptance. His further grievance is that the prosecution has attempted to read incriminating meaning into gestures and surrounding circumstances without there being clear independent material showing that he asked the complainant to pay money as consideration for revoking the suspension.

(viii) no money was recovered from his person, clothing, room, cupboard or any place shown to be in his exclusive possession. The prosecution itself states that the amount was ultimately found in an open vacant area adjacent to the residential premises. The petitioner therefore contends that the mere fact that currency bearing the pre-trap serial numbers was found in an open area does not, without a reliable connecting link, establish that he had consciously received and thereafter discarded it.

(ix) the sketch does not sufficiently depict all material physical features, surrounding houses, balconies, access points, visibility and the exact place from which the currency was recovered. He further relies upon the absence of his signature on the recovery documents, as pleaded by him, and says that the prosecution must establish by contemporaneous and independent material how the amount travelled from the chair to the vacant site and how that movement is attributable to him.

(x) the hand-wash results and the tests said to have been conducted on the chair, bushes, grass or soil cannot by themselves establish the foundational facts of demand and voluntary acceptance. He further raises objections regarding the collection, sealing, preservation and forensic examination of material objects and samples. His case is that scientific evidence can corroborate a proved transaction, but cannot be used to fill a fundamental gap regarding the alleged demand or the conscious receipt of money.

(xi) the sanctioning authority did not have before it, or did not properly consider, the entire relevant material, including the conversations and forensic material upon which the prosecution subsequently placed reliance. According to him, sanction is not an empty formality and must reflect consideration of the material necessary to decide whether prosecution should be authorized. He

therefore contends that the alleged non-consideration of vital material demonstrates want of proper application of mind.

(xii) The petitioner, relies, inter alia, upon ***State of Haryana v. Bhajan Lal***[1]. His submission is that the allegations and the material, read as a whole, fail to disclose the essential ingredients of the offence, contain inherent improbabilities and have arisen in the background of a pre-existing grievance of the complainant against the petitioner. He therefore seeks quashing of C.C. No.12 of 2024 and contends that compelling him to face a full criminal trial on such material would amount to abuse of process.

(xiii) In W.P. No.19734 of 2025, the petitioner challenges his arrest on 19.12.2023, contending that the grounds of arrest were not effectively and meaningfully communicated when his liberty was curtailed. He disputes the CBI's assertion that the Arrest-cum-Personal Search Memo was duly prepared and supplied and submits that a later recital or signature cannot, by itself, cure failure to communicate the real grounds at the proper time. Invoking Articles 21 and 22(1) of the Constitution, he contends that the safeguard exists to enable an arrested person to understand the factual basis of arrest, obtain legal advice and promptly challenge the deprivation of liberty.

[1].1992 Supp (1) SCC 335

(xiv) The petitioner further disputes the circumstances in which his signatures were obtained and points to alleged inconsistencies regarding the time of arrest, completion of post-trap proceedings and preparation of arrest papers. Relying upon ***D.K.Basu vs. State of West Bengal***[2] and the other arrest authorities cited by him, he submits that compliance must be contemporaneous and demonstrable and that a subsequent remand cannot retrospectively validate an arrest which was unconstitutional at its inception.

(xv) In W.P. No.31644 of 2025, the petitioner challenges the search operation conducted at his residence during the night of 19/20.12.2023. He pleads that no search warrant, written authorization or contemporaneously recorded reasons authorizing the search were shown to him. He invokes the safeguards governing searches under the Code of Criminal Procedure and the relevant provisions of the CBI Manual and contends that a residential search, particularly during night hours, cannot be treated as an unrestricted incident of investigation.

(xvi) the requirements concerning independent witnesses, identification of the search party, personal search of search-team members, presence and participation of the occupants, preparation of a complete inventory, supply of the

[2]. (1997) 1 SCC 416

search proceedings and forwarding of the necessary records to the competent Magistrate were not followed in their true spirit. He further contends that a large number of male officials remained in the residence during the night when his wife was present, causing humiliation and intrusion upon privacy and dignity.

(xvii) he specifically disputes the justification for seizure of his identity card and cash of Rs.1,80,000/-, apart from the alleged trap amount. According to him, the subsequent order for return of the said cash supports his contention that it was not incriminating material connected with the alleged offence. It is his further case that seizure must have a demonstrable nexus with investigation and that an indiscriminate description of articles as incriminating cannot substitute for statutory justification.

(xviii) In W.P. No.32169 of 2025, the petitioner alleges physical, mental and psychological ill-treatment while he was in CBI custody. He states that he attempted to bring his grievance before the trial court through applications, but according to him the complaints were not effectively taken on record or acted upon. He invokes the constitutional protection of dignity and personal liberty and relies upon decisions including ***D.K. Basu v. State of West Bengal***[3] and

[3].AIR 1997 SC 610

Arvinder Singh Bagga v. State of U.P.[4], besides principles concerning CCTV/video safeguards in custodial environments.

(xix) he prays the Court to treat the custodial allegations independently of the merits of the corruption prosecution. His submission is that even a person lawfully arrested retains constitutional protection against physical or psychological abuse and that law-enforcement officers cannot use custody as a means of punishment or coercion. He therefore seeks appropriate declarations and consequential directions, including action against the officers alleged to be responsible.

(xx) In W.P. No.34423 of 2025, the petitioner challenges the press release published by the CBI on its official website and social-media handle. His case is that an investigating agency may communicate accurate procedural facts but cannot publish statements which, expressly or by necessary implication, portray an accused as guilty before adjudication. He particularly disputes the description of recoveries and the characterization of seized material as incriminating, contending that such publication affected his reputation, privacy, service career and standing in society.

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[4]. (1994) 6 SCC 565

(xxi) he relies upon the constitutional protection of reputation and privacy and the principles discussed in ***R. Rajagopal v. State of Tamil Nadu***[5] and ***Nilabati Behera v. State of Orissa***[6]. He contends that an official communication carries institutional authority and is likely to be treated by the public and media as reliable; therefore, according to him, greater care was required to distinguish allegations from established facts. He seeks a declaration regarding the legality of the release and consequential action against the responsible officer.

(xxii) he requests that all five proceedings be viewed against a common factual background. According to him, the departmental suspension preceded the corruption complaint; the trap was followed in quick succession by arrest, residential search and custody; and the official press release then placed the CBI's version in the public domain. He argues that, although each petition raises a distinct legal issue and seeks a distinct relief, the events are factually interconnected and the legality of each later step must be assessed with reference to the contemporaneous records and safeguards applicable to it.

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[5]. (1994) 6 SCC 632
[6]. (1993) 2 SCC 746

(xxiii) his case is not founded on minor irregularities viewed in isolation. He relies upon what he describes as cumulative defects in the origin of the complaint, verification, digital evidence, alleged demand, alleged acceptance, recovery, chemical testing, sanction, arrest documentation, search procedure, custodial treatment and public communication. According to him, these matters collectively disclose prejudice and justify constitutional and inherent-jurisdiction scrutiny.

(xxiv) he is not asking the High Court to conduct a complete criminal trial in the writ or quash proceedings. His submission is that the Court can examine undisputed or prosecution-generated records to determine whether mandatory constitutional and statutory safeguards were observed and whether the material relied upon discloses the legal ingredients necessary for continuation of the prosecution. On that basis, he seeks the separate reliefs claimed in the respective petitions, while reserving all other remedies available in law.

8. The Central Bureau of Investigation filed counter affidavits. The contents of the counter affidavits and written submissions can briefly be summarized as under:

(i) The respondent Central Bureau of Investigation while denying the material averments of the petitions further contended that the prosecution arose from a written complaint disclosing a cognizable offence. According to the CBI, RC No.23(A)/2023 was registered on 19.12.2023 under Section 7(a) of the Prevention of Corruption Act against the petitioner, then Senior Superintendent of Post Offices, Bhimavaram Division, on the complaint of Sri S. Sala Ramudu, Postman, Palakollu. The CBI's case is that the complainant's suspension supplied the occasion for the petitioner to demand illegal gratification for revoking that suspension and that the subsequent investigation yielded sufficient corroborative material.

(ii) The complainant first approached the petitioner at his office on 01.12.2023 seeking revocation of the suspension and was asked to meet him at his residence. According to them, during the subsequent interactions the petitioner demanded an amount of Rs.3,00,000/- as illegal gratification, the amount was negotiated/reduced, and by 17.12.2023 the demand stood at Rs.2,50,000/-. The CBI relies upon the complainant's account of those meetings and the conversation allegedly recorded by him on his mobile phone as material supporting the antecedent demand.

(iii) It disputes the petitioner's suggestion that the complaint was merely retaliatory because of the suspension. It states that the existence of a departmental dispute or prior action against the complainant does not by itself destroy the prosecution case where the later complaint contains a specific allegation of demand and is followed by verification and trap proceedings. According to the CBI, the complainant's credibility, motive and the petitioner's defence are matters to be tested in evidence and cannot be conclusively determined in proceedings seeking quashment.

(iv) The respondent-CBI submits that, after the complaint was received and the allegations were verified, the FIR was registered and pre-trap proceedings were conducted. It states that independent witnesses were associated, the currency intended for the trap was noted and treated in accordance with the procedure, and a digital voice recorder was given to the complainant with instructions concerning the proposed transaction. The complainant was thereafter sent to the petitioner's residence with Rs.2,50,000/- and the trap team positioned itself in the vicinity.

(v) The complainant met the petitioner near the residential premises and discussed revocation of the suspension. The prosecution version is that the petitioner instructed the complainant regarding the place where the amount was

to be kept, whereupon the complainant placed the treated currency on a chair near the balcony and thereafter gave the pre-arranged signal. The CBI relies upon the recorded conversation, the complainant's statement and the observations of the independent witnesses as mutually corroborative circumstances.

(vi) When the trap team reached the relevant place the money was no longer on the chair and the grill door was locked from inside. According to the prosecution, the petitioner, instead of immediately opening the door, moved towards the balcony area and was observed carrying something. The CBI treats this conduct as part of the chain of circumstances explaining why the tainted amount was not found at the place where the complainant had initially kept it.

(vii) A search of the adjacent vacant area resulted in recovery of five bundles of Rs.500/- denomination notes aggregating to Rs.2,50,000/-. It emphasizes that the serial numbers of the recovered currency corresponded with those recorded during the pre-trap proceedings. The currency was photographed and seized under the post-trap proceedings in the presence of witnesses. The CBI therefore disputes the petitioner's contention that the open nature of the recovery site, by itself, severs the connection between the transaction and the petitioner.

(viii) It relies upon the sodium-carbonate tests conducted on the petitioner's hands. According to it, the solutions relating to both hands turned pink and the samples were sealed and later sent for forensic examination. It further states that samples connected with the chair and the place of recovery were collected and that the CFSL examination confirmed phenolphthalein in the samples sent for analysis. The respondent treats the scientific results as corroboration of contact with the treated currency and of the events described in the trap proceedings.

(ix) With respect to the electronic evidence, that the conversation recorded on 17.12.2023 and the conversation connected with the trap proceedings were preserved and sent for forensic examination through the competent court. It relies upon the voice examination and identification material to contend that the recorded voice was that of the petitioner. According to the respondent, objections concerning transcription, interpretation, source devices, copying procedure, hash values and chain of custody are matters of admissibility and evidentiary weight which can be tested before the trial court.

(x) The complaint, verification, recorded conversations, pre-trap memorandum, conduct at the scene, recovery of currency bearing the recorded serial numbers, hand-wash results, independent witness accounts and forensic

reports cannot be dissected and examined in isolation. Its submission is that these circumstances, when read cumulatively, constitute a prima facie case of official favour, demand, acceptance and recovery and require a trial.

(xi) The respondent further submits that, after completion of investigation, a charge sheet was filed before the competent Special Court along with the documents relied upon by the prosecution. It invokes the settled limitations on the High Court's jurisdiction at the quashing stage and argues that disputed questions concerning the truthfulness of witnesses, interpretation of conversations, reliability of recovery, effect of forensic evidence and the petitioner's defence should be adjudicated on evidence during trial rather than through a mini-trial in the present proceedings.

(xii) It relies upon the statutory presumption under the Prevention of Corruption Act, subject to proof of the foundational facts at trial, and contends that the petitioner's attempt to obtain a final evaluation of the prosecution evidence at the threshold is impermissible. It relies upon the authorities cited in its submissions, including ***State of Bihar v. P.P. Sharma***[7], ***Kaptan Singh v. State of Uttar Pradesh***[8], ***Neeharika Infrastructure Pvt. Ltd. v. State of***

[7].1992 Supp (1) SCC 222
[8] (2021) 9 SCC 35

Maharashtra[9], ***Lalita Kumari v. Government of U.P.***[10] and ***Neeraj Dutta v. State (NCT of Delhi)***[11], for the propositions advanced by it concerning investigation, quashing and proof in corruption cases.

(xiii) The respondent-CBI submits that, as regards W.P. No.19734 of 2025, it specifically denies that the arrest was effected without communication of grounds. Its case is that the petitioner was arrested at about 8:30 p.m. on 19.12.2023 after the alleged demand and acceptance of the bribe amount, that the grounds of arrest were communicated, and that the Arrest-cum-Personal Search Memo and the proceedings under the then applicable provisions of the Code were prepared in the presence of independent witnesses. It states that the petitioner signed the relevant documents and was supplied copies.

(xiv) The petitioner was produced before the Special Judge for CBI Cases, Vijayawada, on 20.12.2023 and was remanded to judicial custody. It relies upon the remand proceedings and contends that the petitioner did not then raise the present challenge to the arrest in the form now pleaded. According to the CBI, the writ petition was instituted much later, after filing of the charge sheet, and is an afterthought intended to delay or divert the criminal proceedings.

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[9].(2021) 19 SCC 401
[10].*(2014) 2 SCC 1*
[11].(2023) 4 SCC 731

(xv) It objects to the personal impleadment of the investigating and trap-laying officers in the arrest writ petition. It states that no specific legally sustainable case of personal misconduct is made out against them and refers to its application seeking deletion of their names. The respondent contends that adverse personal findings affecting serving officers ought not to be recorded on generalized allegations, particularly where the official records are said to demonstrate procedural compliance.

(xvi) The respondent-CBI submits that, as regards W.P. No.31644 of 2025 concerning the residential search, the search was undertaken after registration of a cognizable case and in the immediate context of the trap and recovery operation. According to it, the investigating officers had lawful authority to enter and search the premises in order to recover the bribe amount and other material connected with the offence. It disputes the petitioner's characterization of the operation as an unauthorized exploratory search.

(xvii) The post-trap proceedings record the presence of independent witnesses, the articles seized, participation of the petitioner and his wife and delivery of a copy of the proceedings under acknowledgment. It therefore denies the allegations that the occupants were excluded or that no proper record of seizure was prepared. In its submission, questions concerning the precise

authorization, recording of reasons and procedural steps have to be examined with the contemporaneous investigation records and cannot be decided merely on the petitioner's denial.

(xviii) It disputes the inference sought to be drawn from the later return of Rs.1,80,000/-. It contends that the legality of the search has to be judged on the circumstances existing when the investigation was in progress and not solely by whether every article seized was ultimately retained as evidence. The CBI further objects to the impleadment of numerous officers, independent witnesses and the complainant in their personal capacities and contends that bald allegations cannot justify personal proceedings against them.

(xix) The respondent-CBI submits that, in W.P. No.32169 of 2025, it emphatically denies the allegations of custodial cruelty, physical assault, mental torture or psychological harassment. It characterizes the allegations as general, unsupported and belated and contends that they were introduced to divert attention from the corruption case. The respondent relies upon the remand proceedings and states that the petitioner did not make the specific allegations now advanced when produced before the Special Judge.

(xx) The officers impleaded personally in the custodial-treatment writ petition have not been assigned specific acts supported by contemporaneous material. It denies that any officer indulged in the conduct alleged and states that continuation of personal allegations against serving officials, without an adequate factual foundation, adversely affects them. It has therefore sought deletion of the individual officers and dismissal of the writ petition.

(xxi) The respondent-CBI submits that, with respect to W.P. No.34423 of 2025, the press release was issued under the applicable departmental circular and the provisions of the CBI Manual governing media communication. According to the respondent, the release did no more than communicate the fact of registration of the case, the trap, remand and seizures made during investigation. It denies that the communication pronounced the petitioner guilty or exceeded the permissible limits of an official press statement.

(xxii) It particularly relies upon the fact that Rs.2,50,000/- in Rs.500/- denomination notes, bearing serial numbers corresponding to the pre-trap memorandum, was recovered during the operation. It also refers to the other cash and identity card seized during the search. According to the respondent, describing material seized during a criminal investigation as material connected

with the case did not amount to a judicial declaration of guilt and the petitioner's challenge to the release is therefore misconceived.

(xxiii) The lapse of time between the events of December 2023 and institution of the writ petitions. It contends that the petitions were filed after substantial progress in the criminal case and after the charge sheet, and therefore alleges that the petitioner is attempting to reopen each investigative step through separate constitutional proceedings. The petitioner disputes that characterization, but the CBI relies upon the timing as a circumstance relevant to maintainability and bona fides.

(xxiv) The respondent-CBI submits that, in answer to the petitioner's cumulative challenge, the five proceedings cannot be used to secure, indirectly, a complete adjudication of the criminal case without trial. It accepts that arrest, search, custody and official communication are governed by constitutional and statutory safeguards, but asserts that those safeguards were observed and that the contrary allegations involve seriously disputed facts. It therefore urges that findings against individual officers should not be returned merely on competing affidavits where original records and oral evidence may be required.

(xxv) The respondent-CBI finally submits that there was a specific complaint of demand for illegal gratification; the allegation was verified; a trap was organized; the complainant carried treated currency; circumstances at the petitioner's residence indicated acceptance and removal of the money; the same currency was recovered from the adjoining area; chemical and forensic material corroborated the transaction; and the investigation culminated in a charge sheet disclosing a prima facie case. On that basis, the CBI seeks dismissal of the criminal petition and the connected writ petitions and requests that the criminal case be permitted to proceed before the competent Special Court in accordance with law.

9. Heard the petitioner appearing in person and Sri P.S.P. Suresh Kumar, learned Standing Counsel for Central Bureau of Investigation for respondents.

10 (i) The petitioner while reiterating the contents of the writ affidavit would contend that the entire prosecution has to be examined in the background in which the complaint came to be made. He was functioning as Senior Superintendent of Post Offices, Bhimavaram Division, and had initiated departmental action against the de facto complainant, Sri S. Sala Ramudu, a Postman, after information concerning his alleged involvement in a criminal case and his antecedents was received and verified departmentally. The complainant

was thereafter placed under suspension in exercise of official disciplinary powers. It was argued that this prior departmental action is not an incidental fact but the starting point of the controversy, because the complainant had a direct grievance against the petitioner and therefore a clear motive to implicate him falsely. The subsequent allegation that the petitioner demanded money for revocation of that very suspension, according to the petitioner, must be scrutinised in the light of this pre-existing hostility.

(ii) He further argued that the essential ingredients of the offence under Section 7(a) of the Prevention of Corruption Act are not established by the material relied upon by the prosecution. That the prosecution must first show a clear and conscious demand for undue advantage and acceptance of the same in connection with an official act or favour. He contended that the disciplinary process had already been initiated in accordance with service rules and that the prosecution material does not clearly demonstrate any pending official favour which was being offered for sale. Mere suspicion, an ambiguous conversation, gestures or subsequent conduct, it was submitted, cannot take the place of proof of a specific demand and conscious acceptance.

(iii) He further contended that the chronology of the alleged demands and the complaint creates a serious doubt at the threshold. The prosecution refers to

alleged demands on 03.12.2023 and 17.12.2023, whereas the written complaint and FIR are dated 19.12.2023. If such a substantial illegal demand had actually been made earlier, the petitioner questioned why no immediate complaint was lodged. He also relied upon alleged inconsistencies regarding telephonic information to the Superintendent of Police, receipt and transmission of the written complaint, verification of the allegation and the precise point at which the CBI treated the information as disclosing a cognizable offence. In a trap case, he argued, these are not insignificant details because the integrity of the entire operation depends upon a clear and contemporaneously verifiable sequence of events.

(iv) He further argued that the feasibility and timing of the CBI team's movements require close scrutiny. According to him, receipt of information, preliminary verification, assembly of officers and independent witnesses, arrangement of vehicles, travel, arrival, preparation of pre-trap proceedings and commencement of the trap should form a continuous chronology supported by contemporaneous records. Any material gap or inconsistency in that sequence, it was argued, affects the reliability of the prosecution version because the trap proceedings constitute the principal foundation of the criminal case.

(v) He further argued that the electronic evidence does not furnish a safe basis for continuation of the prosecution in the manner asserted by the CBI. He questioned how the conversation allegedly recorded by the complainant on 17.12.2023 and the conversation said to have been recorded during the trap on 19.12.2023 were created, received, copied, preserved and transmitted. He emphasized the alleged absence or inadequacy of particulars concerning the original source devices, hash values, forensic images, dates and times of copying and an uninterrupted chain of custody. Where recorded conversations are relied upon to establish the foundational fact of demand, the petitioner argued that the prosecution must be able to demonstrate the integrity of the source and preservation process rather than asking the Court to presume authenticity.

(vi) He further argued that even the transcripts and conversations relied upon by the prosecution, if read as they stand for the limited purpose of these proceedings, do not unmistakably disclose the specific demand attributed to him. According to him, words capable of more than one interpretation, gestures or surrounding conduct cannot be enlarged into an express demand for illegal gratification. He contended that the prosecution has attempted to infer an incriminating meaning from circumstances without clear independent material

showing that he demanded Rs.2,50,000/- as consideration for revoking the complainant's suspension.

(vii) He further argued that the prosecution version of acceptance and recovery is inherently doubtful. Admittedly, according to the case placed before the Court, the tainted currency was not recovered from his person, clothes, room, cupboard or any place shown to be in his exclusive possession. The amount was ultimately found in an open vacant area adjoining the residential premises. He, therefore submitted that recovery of currency bearing the pre-trap serial numbers from an open place may establish the identity of the notes, but it does not by itself establish that he consciously received them and thereafter threw or carried them to that place. A reliable connecting link between the alleged placement of money, its alleged handling by the petitioner and its ultimate recovery is indispensable.

(viii) He further argued that the recovery proceedings and scene sketch do not satisfactorily establish the connecting link. He questioned whether the sketch accurately depicts the surrounding houses, balconies, access points, visibility, positions of the complainant and witnesses and the exact place of recovery. He also relied upon the alleged absence of his signature on the recovery documents and contended that the prosecution must explain through independent and

contemporaneous material how the currency allegedly moved from the chair to the vacant site. In his submission, the missing or disputed procedural links assume greater significance because the recovery was not from his body or exclusive possession.

(ix) He further argued that the chemical tests cannot cure the alleged failure to establish demand and voluntary acceptance. The hand-wash results and tests said to have been conducted in relation to the chair, bushes, grass or soil may, at their highest, be corroborative circumstances. They cannot independently prove why contact occurred or establish the indispensable foundational facts of a corruption offence. He also questioned collection, sealing, preservation and forensic examination of the samples. Scientific evidence, according to him, may support a transaction otherwise proved, but cannot be used to fill a basic gap in the prosecution case.

(x) He further argued that the sanction for prosecution is vitiated by want of proper application of mind. His case is that the sanctioning authority did not have before it, or did not properly consider, all the material which later became central to the prosecution, including the conversations and forensic material. Sanction, he submitted, is a substantive statutory safeguard and not a mechanical formality. If vital material necessary for an informed decision was

unavailable or not considered, the resulting sanction cannot be treated as an independent and conscious authorization of prosecution. For this proposition he relied upon the decision in ***D.K. Basu v. State of West Bengal.***

(xi) He further argued that the cumulative defects bring the case within the principles governing exercise of the High Court's power to prevent abuse of process, including the principles relied upon from ***State of Haryana v. Bhajan Lal***. His contention is not that the High Court should conduct a full criminal trial, but that the Court is entitled to look at prosecution-generated and undisputed records to see whether the basic legal ingredients exist and whether mandatory safeguards were observed. Where the accusation is allegedly born out of prior hostility, the demand is disputed and ambiguous, recovery is from an open place, and the supporting electronic and procedural links are challenged, compelling the petitioner to undergo a full trial was argued to amount to abuse of process.

(xii) He further argued, in relation to W.P. No.19734 of 2025, that the arrest on 19.12.2023 violated Article 22(1) because the grounds of arrest were not meaningfully communicated when his liberty was curtailed. He disputed the CBI's reliance on the Arrest-cum-Personal Search Memo, signatures and later remand proceedings, submitting that these cannot substitute proof of timely and effective communication. Relying on ***D.K. Basu***, he contended that the

safeguard enables the arrestee to understand the accusation, consult counsel, oppose remand and seek bail.

(xiii) He further submitted that the alleged inconsistencies in the time of arrest and preparation of the arrest papers require scrutiny. In particular, he distinguished the investigating officer's general 'reasons for arrest' from the personal and factual 'grounds of arrest' which Article 22(1) requires to be communicated to the arrested person.

(xiv) He further argued, in relation to W.P. No.31644 of 2025, that the residential search during the night of 19/20.12.2023 was undertaken without demonstrating a lawful warrant, written authorization or contemporaneously recorded reasons. He submitted that the power of warrantless search is exceptional and circumscribed by statutory safeguards, particularly when a private residence is entered at night. The requirements of recording reasons, specifying the object of search, associating independent witnesses, preparing a complete inventory and supplying the proceedings are safeguards against arbitrary invasion of privacy and cannot be treated as dispensable formalities. In

support, he relied upon ***Yakub Abdul Razak Memon v. CBI***[12] and ***Rajesh & Anr. v. State of Madhya Pradesh***[13].

(xv) He further contended that in ***ITC Ltd. v. State of Karnataka***[14], the Hon'ble Supreme Court stressed upon scrupulous adherence to statutory search procedure, the importance of independent witnesses and the need for recorded reasons, and caution against courts condoning unlawful investigative methods. In ***State of Rajasthan v. Rehman***[15], the petitioner relied upon the principle that search is an exceedingly intrusive process and that Section 165 Cr.P.C. requires reasonable grounds to be recorded in writing together with specification, as far as possible, of the thing sought; failure to comply with material requirements was treated as rendering the search illegal. The petitioner submitted that these principles directly answer the CBI's attempt to treat the residential search as a routine continuation of the trap. In support, he also relied upon ***CBI v. State of Delhi***; ***Shafi Mohammad v. State of Himachal Pradesh***[16]***.***

[12].(2013) 13 SCC 1
[13].2023 SCC OnLine SC 1202
[14].(2026) 4 SCC 603
[15]. AIR 1960 SC 210
[16].(2018) 2 SCC 80

(xvi)He further contended that ***Union of India through CBI v. Purnandu Biswas***[17] supports the proposition that investigative enthusiasm cannot itself justify a residential search without lawful authority. He further relied upon ***New Swadeshi Mills of Ahmedabad Ltd. v. S.K. Rattan & Ors.***[18] for the proposition that Section 165 confers a restricted and circumscribed power and that recording reasons before a warrantless search is an important mandatory safeguard protecting private rights. ***Dnyaneshwar S/o Kachru Tondmal v. State of Maharashtra & Ors.***[19] was relied upon to emphasize that, before entering a house, the investigating officer must record the grounds and specify the things sought, and that unlawful intrusion can affect both privacy and the reputation of the family.

(xvii) He further contended that the manner of recovery also falls foul of safeguards discussed in ***Yakub Abdul Razak Memon v. CBI***. He relied upon the observations concerning preparation and signatures on a panchnama/recovery memorandum by the investigating officer, independent panch witnesses and the concerned party, as well as the requirement of recorded reasons and an appropriate search memorandum for a warrantless

[17]. (2005) 12 SCC 576
[18]. 1967 SCC OnLine Guj 142
[19].Orders dated 29.11.2019 of Bombay High Court (Aurangabad Bench) in Criminal Writ Petition No. 25 of 2019

search. He also relied upon ***Rajesh & Anr. v. State of Madhya Pradesh*** to contend that evidence collected in complete defiance of law becomes seriously vulnerable where the circumstances leave room for tampering or interpolation. The alleged absence of his signature, dispute regarding presence and position of witnesses and absence of videography were therefore said to be material, not technical, objections. In support, he also relied upon ***Arvinder Singh Bagga v. State of U.P.***, ***D.K. Basu v. State of West Bengal.***

(xviii) He further contended that videography would have provided an objective account of the disputed search and recovery. He relied upon the observation in ***CBI v. State of Delhi*** regarding videography of search proceedings and upon ***Shafi Mohammad v. State of Himachal Pradesh*** regarding videography of the scene of crime or recovery as a safeguard that enhances confidence in investigative evidence. According to him, where the prosecution itself depends upon a disputed movement of currency from a chair to an open area, objective recording assumes particular importance. In support, he relied upon ***Paramvir Singh Saini v. Baljit Singh***[20].

(xix) He further contended that seizure of his identity card and Rs.1,80,000/- apart from the alleged trap amount demonstrates the over breadth

[20].(2021) 1 SCC 184

of the search. He submitted that the later return of the said cash supports his contention that it lacked an incriminating nexus with the alleged offence. An investigating agency may seize material genuinely connected with an offence, but cannot convert a specific trap investigation into an unrestricted exploratory exercise merely by describing every article taken from a residence as incriminating.

(xx) The petitioner further argued, in relation to W.P. No.32169 of 2025, that the allegation of physical, mental and psychological ill-treatment in CBI custody is an independent Article 21 of the Constitution issue and cannot be answered merely by referring to the merits of the corruption prosecution. Relying upon ***Arvinder Singh Bagga v. State of U.P.*** and ***D.K. Basu v. State of West Bengal***, he submitted that custodial abuse includes mental and psychological coercion and that custody cannot be used as punishment or as a means of compelling information or submission.

(xxi) The Petitioner further relied upon the CCTV and audio-video safeguards noticed in ***Paramvir Singh Saini v. Baljit Singh*** and submitted that objective recording assumes special importance when the alleged wrong occurred inside an investigating agency's premises. According to him, his attempts to raise the grievance were not effectively acted upon and, therefore,

the availability, preservation and production of CCTV or other electronic material should be considered by the competent forum while examining the complaint.

(xxii) The petitioner further argued, in relation to W.P. No.34423 of 2025, that the CBI press release crossed the permissible boundary between informing the public about an investigation and conveying an impression of guilt before adjudication. An official investigating agency may state procedural facts accurately, but must carefully distinguish allegations and seizures from proved facts. Describing material as incriminating, particularly when the legality and relevance of the seizure itself are disputed, was said to have affected his reputation, privacy, service career and standing in society.

(xxiii)***Subramanian Swamy v. Union of India***[21] recognizes reputation as an inseparable facet of Article 21, while ***R. Rajagopal v. State of Tamil Nadu*** recognizes privacy as implicit in life and liberty and protects the individual's private sphere subject to the qualifications stated in that judgment. He also relied upon ***Nilabati Behera v. State of Orissa*** for the constitutional court's power and obligation to grant public-law relief where a flagrant infringement of Article 21 by State action is established. Since an official CBI communication carries institutional authority and is likely to be treated by the

[21]. (2016) 7 SCC 221

public as reliable, the petitioner argued that the agency owed a correspondingly high duty of accuracy and restraint.

(xxiv) The petitioner finally argued that the five proceedings raise distinct legal questions but arise out of one continuous factual sequence: departmental suspension of the complainant, the corruption complaint and trap, arrest, residential search, custody and thereafter the official press release. His case is not founded upon one isolated irregularity but upon the cumulative effect of alleged defects in the complaint, verification, electronic evidence, demand, acceptance, recovery, chemical testing, sanction, arrest documentation, search procedure, custodial treatment and public communication. He therefore prayed that each relief be considered on its own legal footing while keeping the common chronology in view, and that the Court grant the reliefs sought wherever the contemporaneous record fails to demonstrate compliance with mandatory constitutional and statutory safeguards.

11 (i) On the other hand, Sri P.S.P.Suresh Kumar, learned Standing Counsel for respondent–CBI while reiterating the contents of the counter affidavits and written submissions argued that the petitions proceed by fragmenting a prosecution which, when read as a whole, discloses a clear prima facie case under Section 7(a) of the Prevention of Corruption Act. The case

originated in a written complaint made by Sri S. Sala Ramudu, Postman, Palakollu, on the basis of which RC No.23(A)/2023 was registered on 19.12.2023 against the petitioner, then Senior Superintendent of Post Offices, Bhimavaram Division. According to the CBI, the complainant's suspension supplied the occasion for the petitioner to demand illegal gratification for revoking the suspension, and the complaint was thereafter followed by verification, trap proceedings, recovery, chemical tests, electronic material and forensic examination.

(ii) The learned Standing Counsel further contended that the prior departmental dispute does not establish false implication. According to the prosecution version, the complainant approached the petitioner on 01.12.2023 seeking revocation of suspension and was asked to meet him at his residence; during later interactions a substantial illegal gratification was demanded and the amount ultimately stood at Rs.2,50,000/- by 17.12.2023. The CBI relies upon the complainant's account and the conversation recorded on his (complainant) mobile phone as material supporting the antecedent demand. Whether the complainant was motivated by hostility, whether his account is truthful and what weight should be attached to the defence of false implication are, the respondent

argued, matters for evidence at trial and cannot be conclusively decided in quashing proceedings.

(iii) The learned Standing counsel further contended that after receipt and verification of the complaint, the FIR was registered and pre-trap proceedings were conducted in the presence of independent witnesses. The currency intended for the trap was noted and treated in accordance with the procedure, a digital voice recorder was provided to the complainant with instructions, and the complainant proceeded to the petitioner's residence carrying Rs.2,50,000/-. The trap team positioned itself nearby. These contemporaneous steps, according to the CBI, answer the petitioner's attempt to portray the operation as fabricated or procedurally unanchored.

(iv) The learned Standing Counsel further contended that the events at the residence provide the necessary link between demand, acceptance and recovery. The prosecution case is that the complainant discussed revocation of suspension with the petitioner and was instructed regarding the place where the money was to be kept. The complainant accordingly placed the treated currency on a chair near the balcony and gave the pre-arranged signal. The CBI relies upon the recorded conversation, the complainant's statement and the observations of independent witnesses as mutually corroborative circumstances. It was

submitted that acceptance in a trap case need not be reduced to the simplistic requirement that the currency must be physically recovered from the accused's pocket or hand if the surrounding evidence establishes conscious receipt or handling.

(v) The learned Standing Counsel further contended that the petitioner's conduct immediately after the signal is a material circumstance. When the trap team reached the relevant place, the money was no longer on the chair and the grill door was locked from inside. According to the CBI, the petitioner did not immediately open the door and moved towards the balcony area while carrying or handling something. The prosecution treats this conduct as part of the chain explaining how the tainted amount left the chair and came to be found in the adjoining vacant area. The respondent submitted that the petitioner's alternative explanation, and the exact inference to be drawn from this conduct, are important questions for trial.

(vi) The learned Standing Counsel further contended that recovery of five bundles of Rs.500/- notes aggregating to Rs.2,50,000/- from the adjacent vacant area cannot be dismissed merely because the spot was open. The serial numbers of the recovered notes corresponded with those recorded in the pre-trap proceedings; the currency was photographed and seized in the presence of

witnesses. According to the CBI, the location of recovery must be considered together with the preceding placement of the currency, disappearance of the money from the chair, the petitioner's alleged movement towards the balcony and the subsequent recovery of the very same identified notes. The prosecution case is based on the cumulative chain, not on the recovery location in isolation.

(vii) The learned Standing Counsel further contended that the chemical and forensic evidence supplies additional corroboration. It relies upon sodium-carbonate tests in which the solutions relating to both hands of the petitioner turned pink, the sealing and forwarding of those samples, collection of samples connected with the chair and recovery area and the CFSL result confirming phenolphthalein in the samples sent for analysis. The CBI does not treat the scientific evidence as a substitute for demand; rather, it relies upon it as corroborative material which, when read with the complaint, conversations, trap proceedings, conduct and recovery, supports a prima facie inference of contact with the treated currency.

(viii) The learned Standing Counsel further contended that objections to electronic evidence concerning source devices, transcription, copying, hash values, chain of custody, interpretation and voice identification are matters concerning admissibility, proof and evidentiary weight. The conversations of

17.12.2023 and 19.12.2023 were, according to the CBI, preserved and sent for forensic examination through the competent court, and the prosecution relies upon voice examination and identification material connecting the recorded voice to the petitioner. At the stage of quashing, the High Court should not undertake a forensic trial within a petition under its inherent or writ jurisdiction.

(ix) The learned Standing Counsel further contended that the complaint, verification, recorded conversations, pre-trap memorandum, conduct at the scene, recovery of currency with matching serial numbers, hand-wash results, independent witness accounts and forensic reports must be read together. If each circumstance is isolated and attacked separately, the evidentiary picture is artificially broken apart. Read cumulatively, the respondent submitted, the material discloses the ingredients of official favour, demand, acceptance and recovery sufficiently to require adjudication by the Special Court. In support, the learned counsel relied upon the decisions in ***State of Bihar v. P.P. Sharma***, ***Kaptan Singh v. State of Uttar Pradesh***; ***Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra***.

(x) The learned Standing Counsel further contended that a charge sheet has already been filed before the competent Special Court along with the prosecution material and that the present challenge invites the High Court to

undertake a mini-trial. Questions such as whether the complainant is credible, whether the conversations bear the meaning attributed to them, whether the recovery is reliable, whether the chemical and forensic results establish contact, and whether the petitioner's defence creates reasonable doubt require evidence, cross-examination and adjudication at trial. They cannot be finally resolved merely by comparing rival affidavits and competing interpretations of the investigation record. In support, he relied upon ***Sandip Kumar Roy v. State of West Bengal***[22] and ***Lalita Kumari v. Government of Uttar Pradesh***.

(xi) The learned Standing Counsel further contended that ***State of Bihar v. P.P. Sharma*** supports judicial restraint in quashing criminal proceedings where the allegations and investigation disclose a prima facie case and cautions against converting quashing jurisdiction into an assessment of disputed evidence or allegations of mala fides divorced from the prosecution material. ***Kaptan Singh v. State of Uttar Pradesh*** was relied upon for the principle that the Court ordinarily examines whether the complaint/FIR and accompanying material disclose an offence, while disputed facts and defence material requiring evidence are matters for trial. ***Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra*** was relied upon for the settled caution that criminal investigation

[22].2026 LawSuit (Cal) 390

and proceedings should not ordinarily be interdicted at an early stage when a cognizable offence is disclosed and that the extraordinary power to quash must be exercised sparingly. In support, he relied upon the decision in ***Neeraj Dutta v. State (Govt. of NCT of Delhi)***.

(xii) The learned Standing further contended that in ***Sandip Kumar Roy v. State of West Bengal***, a trap-case decision, supports refusal to quash where the prosecution material relating to demand, trap, acceptance or recovery and connected evidence raises matters requiring trial. ***Lalita Kumari v. Government of Uttar Pradesh*** was relied upon for the law governing registration of an FIR where information discloses a cognizable offence and the limited role of preliminary inquiry in appropriate cases. On this basis, the CBI submitted that the petitioner's attack on the timing of verification and registration cannot, without a full evidentiary foundation, invalidate an otherwise cognizable complaint and subsequent investigation.

(xiii) The learned Standing Counsel further contended that ***Neeraj Dutta v. State (Govt. of NCT of Delhi)*** is particularly material to the corruption prosecution. The CBI relies upon the principles governing proof of demand and acceptance through direct as well as circumstantial evidence and the evidentiary role of the statutory presumption once the foundational facts are established. It

was therefore argued that the petitioner's insistence upon one particular form of direct proof or recovery from his person does not furnish a legal basis for quashing when the prosecution proposes to prove the transaction through a combination of oral, electronic, scientific and circumstantial evidence.

(xiv) The learned Standing Counsel with respect to W.P. No.19734 of 2025, argued that the arrest was lawful and that the grounds were communicated at about 8:30 p.m. on 19.12.2023. The CBI relies upon the Arrest-cum-Personal Search Memo, the petitioner's signatures, independent witnesses, supply of copies and subsequent production before the Special Judge. Relying upon ***Kasireddy Upender Reddy v. State of Andhra Pradesh***[23], it submitted that contemporaneous official records showing compliance cannot be displaced in writ proceedings merely by a later factual denial.

(xv) The learned Standing Counsel further relied upon the remand proceedings and the circumstance that the present challenge was raised later, after substantial progress in the prosecution. It argued that the controversy as to what was communicated, when it was communicated and how the arrest papers were prepared is fact-sensitive and should not be converted into a declaration of illegality on competing affidavits.

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[23]. (2026) 8 SCC 275

(xvi) The CBI also opposed personal findings against investigating officers unless specific misconduct is established on reliable material and the officers concerned are afforded an opportunity to answer it. It relied upon ***Amutha v. Additional Principal Secretary, Home Department, Chennai***[24] in support of that submission.

(xvii) The learned Standing counsel further contended with respect to W.P. No.31644 of 2025 that the residential search was not an unauthorized exploratory exercise. It was undertaken after registration of a cognizable case and in the immediate context of the trap and recovery operation. The investigating officers, according to the CBI, possessed lawful authority to enter and search for the bribe amount and other material connected with the offence. The legality of that action must be judged in the circumstances confronting the officers at that time, not by retrospectively isolating individual steps from the ongoing trap operation.

(xiii) The learned Standing Counsel further contended that the post-trap proceedings themselves record the presence of independent witnesses, the articles seized, participation of the petitioner and his wife and delivery of a copy of the proceedings under acknowledgment. The CBI therefore denied that the

[24].2022 LawSuit (Mad) 2288

occupants were excluded or that no proper seizure record was prepared. Questions concerning the precise authorization, recording of reasons, presence and role of witnesses and compliance with procedural requirements, it submitted, must be tested against the original contemporaneous investigation records and not decided solely on the petitioner's denial.

(xix) The learned Standing Counsel further contended that the subsequent return of Rs.1,80,000/- does not retrospectively render the search or seizure illegal. During an investigation, officers may seize material which reasonably appears relevant; the ultimate decision not to retain or rely upon every seized article does not establish that the original search lacked lawful purpose. The CBI similarly opposed personal proceedings against numerous officers, independent witnesses and the complainant where specific acts of actionable personal misconduct are not supported by adequate material.

(xx) The learned Standing Counsel, with respect to W.P. No.32169 of 2025, emphatically denied physical assault, mental torture or psychological harassment. It relied upon the remand proceedings, the alleged absence of a contemporaneous complaint in the form now advanced and the lack of specific material assigning individual acts to particular officers. The CBI submitted that

the allegation must be proved before a competent forum and that serious personal findings cannot be returned merely on broad or disputed assertions.

(xxi) The learned Standing Counsel further argued, with respect to W.P. No.34423 of 2025, that the press release was issued in accordance with the applicable departmental circular and provisions of the CBI Manual governing media communication. The release, according to the respondent, communicated the fact of registration of the case, the trap, remand and seizures made during investigation; it did not pronounce the petitioner guilty. The CBI particularly relied upon recovery of Rs.2,50,000/- in notes corresponding to the pre-trap serial numbers and referred to other articles seized. Describing material as connected with an investigation, it argued, is not equivalent to a judicial declaration that the accused is guilty.

(xxii) The learned Standing Counsel further contended that a departmental press release must depend upon its contents and governing instructions, the CBI submitted that communicating the existence and procedural status of a criminal case cannot, without more, be equated with unconstitutional injury to reputation or privacy. The petitioner's disagreement with the prosecution narrative does not by itself transform a factual investigative communication into a declaration of

guilt. In support of his contention, he relied upon the decision in ***Youth Bar Association of India v. Union of India***[25].

(xxiii) The learned Standing Counsel further contended that the events occurred in December 2023, whereas the connected writ challenges were instituted after substantial progress in the criminal case and after filing of the charge sheet. The CBI contended that the petitioner is attempting to reopen, through separate constitutional proceedings, the complaint, trap, arrest, search, custody and media communication and thereby secure indirectly a complete adjudication of the criminal case without trial.

(xxiv) The learned Standing Counsel finally argued that constitutional and statutory safeguards governing arrest, search, custody and official communication are not disputed as propositions of law; its case is that those safeguards were observed and that the petitioner's contrary allegations involve seriously disputed questions of fact. There was, according to the CBI, a specific complaint of illegal demand, verification, a planned trap, treated currency carried by the complainant, circumstances indicating acceptance and removal of the money, recovery of the same identified currency from the adjoining area, chemical and forensic corroboration and ultimately a charge sheet disclosing a

[25]. (2016) 9 SCC 473

prima facie case. The respondent therefore prayed that the criminal petition and connected writ petitions be dismissed, that no personal findings be entered against officers on disputed allegations, and that C.C. No.12 of 2024 be permitted to proceed before the competent Special Court in accordance with law.

12. Perused the material available on record, considered the written submissions as well as arguments advanced on behalf of the parties and the decisions relied upon by both sides.

13. At the outset, it is necessary to keep in view the limited scope of the Court at the stage of quashing. In ***State of Haryana v. Bhajan Lal*** the Hon'ble Supreme Court of India balanced the protection of fair police investigations with safeguards against malicious prosecutions. The Hon'ble Supreme Court observed that an FIR cannot be quashed prematurely at the threshold if its face-value allegations disclose a *prima facie* cognizable offense, ruling that mere political rivalry or ulterior motives of a complainant do not validate throwing out an otherwise legitimate case. However, the apex court clarified that the inherent powers of High Courts under Section 482 of the CrPC and Article 226 of the Constitution must be exercised sparingly and in the "rarest of rare cases" to prevent the abuse of judicial processes. To guide the judiciary, the Court formulated seven illustrative categories where quashing criminal

proceedings is legally permissible, such as when allegations fail to disclose any offense, are absurdly improbable, carry an express legal bar, or are clearly driven by manifest *mala fides*. Finally, while the Supreme Court upheld the validity of the FIR itself, it quashed the specific investigation conducted by the Station House Officer (SHO) because mandatory statutory norms requiring an authorized senior officer to investigate corruption allegations were breached. the Supreme Court explained the exceptional categories in which criminal proceedings may be quashed, including cases where the allegations do not disclose an offence or where the proceeding is manifestly attended by mala fides. At the same time, the power is exceptional and cannot be used to decide disputed evidence as if the Court were conducting a trial.

14. The CBI relies on ***State of Bihar v. P.P. Sharma, Kaptan Singh v. State of Uttar Pradesh*** and ***Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra***[26]. In ***State of Bihar v. P.P.Sharma***, the Hon'ble Supreme Court cautioned against using writ/inherent power to undertake a pre-trial assessment of the charge-sheet evidence. In ***Kaptan Singh's*** case, the Hon'ble Supreme Court observed that disputed defence material and factual controversies are ordinarily not to be decided as though evidence had been recorded at trial. In

[26].(2021) 19 SCC 401

Neeharika Infrastructure Pvt. Ltd.'s case, the Hon'ble Supreme Court held that the High Court should ordinarily refrain from evaluating the reliability or genuineness of allegations while exercising quashing jurisdiction where a cognizable offence is disclosed.

15. The common principle emerging from these decisions is that, when the complaint and the investigation material disclose a prima facie offence, the High Court should not weigh rival evidence, decide credibility or conduct a mini-trial. This principle is important here because the petitioner attacks almost every link in the prosecution chain, while the CBI relies upon those very links as mutually supporting circumstances.

16. The petitioner says that the complaint was a result of hostility because he had earlier suspended the complainant. That circumstance is relevant and the trial court will have to examine it carefully. But prior hostility can operate in two ways: it may provide a reason for false implication, or it may provide the setting in which an unlawful demand is alleged to have been made. At this stage, the Court cannot finally choose between those two possibilities merely on affidavits.

17. The next and more important question is whether the material, if taken at its face value, is wholly incapable of showing demand and acceptance. The

petitioner is right that demand of illegal gratification is a basic requirement of a corruption charge and that mere recovery of money is not enough. In ***B. Jayaraj v. State of Andhra Pradesh***[27], the Hon'ble Supreme Court of India set aside the conviction of a public servant under the Prevention of Corruption Act, 1988, ruling that proof of a demand for a bribe is mandatory to establish guilt. In ***K.Shanthamma v. State of Telangana***[28], the Hon'ble Supreme Court held that demand and acceptance of illegal gratification must be proved; mere recovery of the alleged bribe amount, in the absence of proof of demand, is not sufficient for conviction under the Prevention of Corruption Act. However, ***Neeraj Dutta v. State (Govt. of NCT of Delhi)***, the Hon'ble Supreme Court made it clear that demand and acceptance may be proved by direct or circumstantial evidence, depending upon the facts. Therefore, the absence of recovery from the petitioner's pocket or person is not, by itself, decisive if the prosecution has other material which it proposes to prove at trial.

18. Here, the prosecution relies upon the written complaint, the alleged earlier conversation, the trap conversation, the complainant's statement, the placement of treated currency on the chair, the petitioner's alleged conduct immediately thereafter, recovery of the same numbered notes from the adjoining

[27].(2014) 13 SCC 55
[28]. (2022) 4 SCC 574

area, hand-wash results and forensic material. The petitioner disputes the reliability and legal admissibility of almost every one of these circumstances. Those objections are substantial matters for defence, but they require proof, cross-examination and examination of the original records. They cannot be finally decided in a quashing proceeding.

19. The petitioner's reliance on ***Union of India through Inspector, CBI v. Purnandu Biswas*** does not alter this conclusion at the threshold. That decision arose after evidence had been recorded and the Court was considering whether demand and acceptance had in fact been proved. The observations relied upon by the petitioner, including the contention that a residential search without a warrant could not be justified by mere 'over-zealousness', remain relevant to the legality and weight of the search evidence. But the present criminal petition is not an appeal after trial. The prosecution material cannot be rejected finally without evidence being tested.

20. The challenge to the electronic material also involves questions of source device, copying, preservation, hash values, chain of custody, voice identification and interpretation of the conversations. These are important questions. But on the material presently placed, they are questions of admissibility and evidentiary value which the Special Court for CBI can examine

at the proper stage. It would not be appropriate for this Court to decide, without a full evidentiary record, that the electronic material is either conclusively genuine or conclusively unusable.

21. The same reasoning applies to the sanction. The petitioner alleges non-application of mind and non-consideration of vital material. The CBI disputes this. Whether the sanctioning authority had the required material and whether the sanction suffers from a legal defect must be decided on the sanction order and the record placed before the authority. On the present disputed material, this Court is not persuaded that the prosecution is liable to be terminated at the threshold on that ground alone.

22. For these reasons, Criminal Petition No.7888 of 2025 does not satisfy the strict test for quashing. This finding does not mean that the prosecution case is proved. It only means that there is material which requires a trial. Every defence of the petitioner, including motive for false implication, absence of a clear demand, the nature of recovery, electronic evidence, chemical tests, sanction and procedural irregularities, is left open for consideration by the Special Court without being influenced by the observations in this order.

23. W.P.No.19734 of 2025 concerns the legality of the petitioner's arrest on 19.12.2023. The principal question is whether the petitioner was promptly and meaningfully informed of the grounds of arrest as required by Article 22(1) of the Constitution of India.

24. Article 22(1) protects personal liberty by enabling an arrested person to consult counsel, oppose remand, seek bail and challenge the arrest. In D.K. Basu v. State of West Bengal and Joginder Kumar v. State of U.P., the Hon'ble Supreme Court emphasised that the power of arrest must be exercised lawfully and with due regard to personal liberty.

25. In ***Pankaj Bansal v. Union of India***[29], the Supreme Court directed that written grounds of arrest under the PMLA be furnished henceforth. ***Ram Kishor Arora v. Directorate of Enforcement***[30], explained the prospective nature of that direction. ***Prabir Purkayastha v. State (NCT of Delhi)***[31], considered the requirement under the UAPA. In ***Mihir Rajesh Shah v. State of Maharashtra***[32], the Court clarified that Article 22(1) applies to arrests under all penal statutes.

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[29].(2024) 7 SCC 576
[30].(2024) 7 SCC 599
[31].(2024) 8 SCC 254
[32].2025 INSC 1288

26. The grounds of arrest must convey the essential factual accusation so that the arrested person can seek legal advice and challenge the arrest or remand. They are distinct from the investigating officer's reasons for making the arrest. Mention of a penal provision alone may be insufficient, though disclosure of the entire evidence or case diary is not required.

27. In ***Mihir Rajesh Shah***, particularly paragraphs 45 to 58, the Hon'ble Supreme Court required written communication of grounds in a language understood by the arrested person. Where immediate written communication is impracticable, oral communication may initially be made, followed by written grounds within a reasonable time and at least two hours before production for remand. Paragraph 58 expressly makes this uniform procedure applicable henceforth. As the present arrest occurred on 19.12.2023, before that decision, its later procedural direction cannot by itself be applied retrospectively to invalidate the arrest. The Court must still examine whether meaningful grounds were communicated in accordance with the safeguards applicable at that time.

28. When the material in the present case is examined on that basis, the Arrest-cum-Personal Search Memo records RC No.23(A)/2023-CBI/ACB/VSP, Section 7(a) of the Prevention of Corruption Act, and the date, time and place of arrest. Under the column relating to reasons for arrest, however, it essentially

states that the petitioner was arrested "for having committed offence punishable U/Sec.7(a) of PC Act, 1988". The memo does not, by itself, set out the factual particulars of the alleged demand, the transaction, the trap, acceptance or the petitioner's individual role in the alleged occurrence.

29. The proceedings under Section 50(1) and (2) Cr.P.C. similarly record that the petitioner was arrested on 19.12.2023 at 20:30 hours for the offence under Section 7(a), that the offence was non-bailable, and that he could seek bail before the competent Court. Significantly, they further record that the contents were read over to the petitioner and that he had been informed of the grounds of arrest. They also bear the petitioner's signature and the signatures of witnesses. The document further records intimation of the arrest to his wife and departmental officials.

30. These contemporaneous documents cannot be disregarded. The signatures of the petitioner and independent witnesses lend evidentiary support to the CBI's case that arrest proceedings were in fact conducted and that information was conveyed to the petitioner. At the same time, a signature proves acknowledgment of the document according to its contents; it cannot, by itself, supply factual particulars which are absent from the document. Likewise, the recital that "grounds of arrest" were informed is relevant evidence of compliance,

but where compliance itself is disputed, the Court must ultimately ascertain, as far as the available material permits, what was actually communicated.

31. Consequently, if the Arrest-cum-Personal Search Memo and the Section 50 proceedings constituted the entire communication made to the petitioner, the mere reference to Section 7(a) and the general statement that the grounds were informed would raise a substantial question as to whether the case-specific factual grounds contemplated by Article 22(1) were meaningfully conveyed. On the other hand, the documents do not conclusively establish that no further oral or written communication took place. The CBI's case is that the grounds were explained to the petitioner and that the contemporaneous proceedings, signatures of the petitioner, signatures of independent witnesses and other records establish compliance.

32. The decisive question is therefore what was actually communicated, when and in what manner. Its determination may require examination of original records and evidence from persons present at the arrest. Although this Court can protect fundamental rights under Article 226, it would be unsafe to resolve such disputed facts solely on competing affidavits.

33. Subsequent remand does not cure a constitutional defect in the original arrest. Its legality must be judged by the law and circumstances prevailing when the arrest was made.

34. The petitioner approached this Court on 15.07.2025, nearly nineteen months after the arrest. Delay cannot validate an unlawful arrest, but is relevant to discretionary relief under Article 226, particularly where the challenge requires reconstruction of disputed events and criminal proceedings have intervened.

35. Thus, the constitutional right to meaningful communication of grounds is unquestionable. However, the uniform written-supply procedure laid down prospectively in ***Mihir Rajesh Shah*** cannot alone determine the legality of this earlier arrest. The memo lacks detailed factual grounds, while the signed Section 50 CrPC proceedings record that grounds were explained. On the present material, the Court cannot conclusively determine the substance of any additional communication.

36. Having regard to the applicable law, the contemporaneous records, the disputed facts and the substantial delay, the petitioner has not established sufficient grounds in these writ proceedings to declare the arrest dated 19.12.2023 illegal or to grant consequential relief. This conclusion neither treats

remand as curing an unlawful arrest nor regards signatures as conclusive proof of constitutional compliance.

37. The petitioner remains at liberty to raise any legally available contention concerning the arrest before the competent forum on appropriate material. Subject to this observation, W.P.No.19734 of 2025 is dismissed. No order as to costs.

44. W.P. No.31644 of 2025 concerns the residential search. The law treats search of a private residence as a serious invasion of privacy and therefore insists upon compliance with the procedure prescribed by law. In ***State of Rajasthan v. Rehman***, the Supreme Court observed that search is 'a process exceedingly arbitrary in character' and held that recording reasons under Section 165 Cr.P.C. is an important step; ignoring that requirement means ignoring a material part of the law governing search.

45. The petitioner also relies upon ***ITC Ltd. v. State of Karnataka***, wherein the Hon'ble Supreme Court held that the investigating agency must follow the statutory procedure 'scrupulously' and that the means adopted during a search must remain above board and that recording reasons before search or

seizure is an important safeguard. These principles cannot be diluted merely because the investigation concerns an allegation of corruption.

46. The petitioner relied upon ***Yakub Abdul Razak Memon v. CBI,*** regarding the importance of a properly prepared recovery memorandum and independent panch witnesses and on ***Rajesh v. State of Madhya Pradesh***, where the Court noticed that evidence collected in complete defiance of law becomes vulnerable when there is a possibility of tampering or interpolation. The petitioner also relies on ***Shafi Mohammad v. State of Himachal Pradesh***, concerning videography as a measure which can improve confidence in the collection of evidence.

47. These decisions support the importance of lawful search procedure. They do not, however, permit this Court to declare the entire search illegal merely because the petitioner disputes the CBI's version of authorization, witnesses, signatures and supply of records. The CBI asserts that the search formed part of the immediate trap and recovery operation and that independent witnesses, seizure records and acknowledgment are available. The original search record will therefore has to be examined by the court before which its evidentiary effect arises. Any breach proved from that record can be given its legal consequence by the competent court.

48. In the decision in ***Radha Kishan v. State of Uttar Pradesh***[33] the Hon'ble Supreme Court held that an illegality in search does not automatically make the seizure non-existent or vitiate the prosecution; the evidence may require closer scrutiny.

49. The later return of Rs.1,80,000/- is a circumstance which the petitioner may rely upon to question the necessity or relevance of that seizure. But later return does not, by itself, establish that the entire search was unlawful at its inception. W.P. No.31644 of 2025 therefore cannot be allowed on the basis of disputed affidavits. The petitioner's objections to the search, seizure, panchnama, witnesses, videography and admissibility or weight of the material are expressly left open to be raised before the Special Court or other competent forum in accordance with law.

50. W.P. No.32169 of 2025 stands on a distinct constitutional footing. The legality of the corruption prosecution and the legality of the manner in which a person is treated in custody are separate questions. Even a person against whom there is strong prima facie material, and even a person whose arrest is otherwise lawful, does not lose the protection of dignity and bodily and mental integrity

[33]. AIR 1963 SC 822

under Article 21. Investigation authorizes lawful questioning; it does not authorize punishment, intimidation, humiliation or coercion.

51. In ***Arvinder Singh Bagga v. State of U.P.***, relied upon by the petitioner, the Hon'ble Supreme Court treated allegations of unlawful police conduct and custodial abuse as matters requiring serious judicial scrutiny and recognized that impermissible coercion is not confined to visible physical violence. Mental or psychological pressure, intimidation and conduct calculated to break the will of a person in custody may also engage constitutional protection. In ***D.K. Basu v. State of West Bengal***, the Hon'ble Supreme Court emphasized that custodial safeguards exist because a person under the control of investigating authorities is particularly vulnerable and that coercive methods for extracting information are incompatible with Article 21.

52. The significance of these decisions is that a custodial complaint cannot be rejected merely by saying that the underlying arrest or prosecution was justified. Nor can the seriousness of an accusation dilute the standard of lawful treatment. At the same time, an allegation of ill-treatment, particularly when personal liability of named officers is sought, must ultimately be established on reliable material. Constitutional concern requires careful scrutiny; it does not

dispense with proof or with a fair opportunity to the officers against whom findings are sought.

53. In ***Paramvir Singh Saini v. Baljit Singh***, relied upon by the petitioner, the Hon'ble Supreme Court issued and reinforced directions concerning CCTV coverage and preservation in police and investigating premises so as to create objective accountability. The importance of such material is evident in a case like the present one: CCTV or other preserved electronic material may corroborate a genuine complaint, but it may equally demonstrate that an allegation against officers is unfounded. Where a custodial grievance is raised, therefore, the existence, preservation period, location of cameras, availability of footage and lawful production of such material may become relevant evidentiary questions before the competent forum.

54. The CBI, however, emphatically denies any physical, mental or psychological ill-treatment. It relies upon the remand proceedings and the alleged absence of a contemporaneous complaint in the form now pleaded. That circumstance is relevant, but it cannot be treated as conclusive by itself. A person in custody may or may not be in a position to articulate a grievance immediately; equally, a later allegation cannot be accepted merely because it concerns custody. The proper approach is to examine the earliest available

complaint or application, remand papers, medical material if any, custody and movement records, CCTV or other electronic material if preserved, and the specific role attributed to each officer.

55. The petitioner's assertion that he attempted to place his grievance before the trial court through applications is disputed and cannot be finally accepted or rejected on affidavits alone. Likewise, the absence of an immediate detailed complaint may affect the weight of the allegation but does not, standing alone, answer whether ill-treatment occurred. The Court must avoid both extremes: it should neither underestimate a custodial allegation merely because the accused faces a corruption prosecution, nor condemn individual officers without evidence and an opportunity of hearing.

56. The learned Standing Counsel relies upon ***Amutha v. Additional Principal Secretary, Home Department, Chennai***, to oppose personal impleadment and adverse findings against officers in the absence of specific sustainable material. The principle is relevant to the relief presently sought. A declaration of personal misconduct, criminal liability or departmental culpability against identified officers ordinarily requires a fact-finding process in which the allegation, contemporaneous records and the officers' explanation can be tested.

That exercise is not appropriately completed in this writ petition on the present disputed record.

57. Accordingly, this Court does not record a finding that custodial ill-treatment either occurred or did not occur. The allegation is treated as serious, but unresolved. The petitioner is at liberty to pursue any complaint already made or any remedy available in law before the competent Magistrate or other competent authority. In such proceedings, the competent forum may, subject to law and availability, call for and preserve relevant CCTV footage or other electronic records, examine remand and medical records and consider the specific allegations against the concerned officers. The matter shall be decided independently on evidence, uninfluenced by the fact that the corruption prosecution is pending.

58. W.P. No.34423 of 2025 is concerning the CBI press release. Reputation is protected as part of dignity. In ***Subramanian Swamy v. Union of India***, the Hon'ble Supreme Court recognized reputation as an inseparable facet of Article 21. In ***R. Rajagopal v. State of Tamil Nadu,*** the Hon'ble Supreme Court Court recognized privacy as implicit in life and liberty and described it as a right to be let alone, subject to the qualifications stated in that judgment. ***Nilabati Behera v. State of Orissa***, the Hon'ble Supreme Court recognizes the

power of constitutional courts to grant public-law relief where a flagrant violation of Article 21 by State action is established.

59. These principles require an investigating agency to exercise care in public communications. A press release may state that a case has been registered, that a trap or arrest has taken place, that articles were seized, and that investigation is pending. It should not present disputed allegations as finally proved facts or use language which effectively declares an accused guilty before trial. At the same time, ***Youth Bar Association of India v. Union of India*** reflects the recognized public interest in procedural transparency concerning criminal cases.

60. On the material placed in these proceedings, the Court is not satisfied that the press release, read as a whole, furnishes a sufficient basis for directing criminal or departmental action against an individual officer. The petitioner's disagreement with the description of seized material and the prosecution version can be adjudicated in the criminal case. However, the CBI shall ensure that any future public communication concerning the pending case clearly describes allegations as allegations and does not convey that the petitioner's guilt has already been established.

61. This Court has referred to the above decisions only for the legal principles relevant to the present stage. Nothing in this order shall be understood as accepting the truth of the prosecution case or rejecting the petitioner's defence. The Special Court shall decide C.C. No.12 of 2024 independently, on the evidence produced before it, without being influenced by any prima facie observation made in this common order.

62. In the above view of the matter,

(i) Criminal Petition No.7888 of 2025 is dismissed. All factual and legal defences of the petitioner are left open to be urged before the learned Special Judge for CBI Cases, Vijayawada.

(ii) W.P. No.19734 of 2025 is dismissed. The petitioner is at liberty to raise every legally available contention and consequence of any proved arrest defect before the competent forum.

(iii) W.P. No.31644 of 2025 is disposed of, leaving open the petitioner's objections concerning authorization of search, recording of reasons, independent witnesses, seizure procedure, videography, return of Rs.1,80,000/- and the

evidentiary effect of the search and seizure. Those questions may be raised before the Special Court or other competent forum in accordance with law.

(iv) W.P. No.32169 of 2025 is disposed of without recording any finding on the disputed allegation of custodial ill-treatment. The petitioner is at liberty to pursue the remedies before the trial Court.

(v) W.P. No.34423 of 2025 is dismissed.

There shall be no order as to costs. Pending miscellaneous applications, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

13th October, 2026.
RR

Note: LR copy be marked.
B/o
RR

Whether the order is :

Speaking Yes/No ✓ / Reasoned Yes/No ✓

Reportable Yes/No ✓ / Non-Reportable Yes/No ✓