APHC010014262025

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

MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 1294 OF 2025

Between:

1. M SREENIVASULU, [redacted]

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, rep by its Principal Secretary, Endowments Dept., Secretariat, Velagapudi, Guntur Dist.,

2. Tirumala Tirupati Devasthanams, Tirumala, Tirupati District rep by its Executive Officer.

3. Chief Vigilance and Security Officer, TTD Tirumala Tirupati

4. Y Satish Kumar AV and SO, Asst Vigilance and Security Officer, Parakamani, TTD, Tirumala.

5. C V Ravi Kumar, [redacted]

6. Director General of Police CID, Police Head Quarters, Crime Investigation Department,1st Floor, Mangalagiri, Guntur, Andhra Pradesh 522503. Cause Title is amended as per Court Order dt.13.10.2025 in IA 2 of 2025 in the Writ Petition and Affidavit.

...Respondents

Counsel for the Petitioner: SRINIVASULU KURRA

Counsel for the Respondents: C.S.SRIKAR Counsel for the Respondents:UDAY KUMAR VAMPUGADAVALA Counsel for the

Respondents:GP FOR ENDOWMENTS Counsel for the Respondents:C SRINIVASA BABA

The Court made the following ORDER:

Heard Sri Srinivasulu Kurra, learned Counsel for the Writ Petitioner, Sri C. Srinivasa Baba, learned Counsel for the Respondent No.2 & 3, Sri C. Nageswara Rao, learned Senior Counsel appearing on behalf of Sri Amarendra, learned Counsel for the Respondent No.4, Sri Uday Kumar, learned Counsel for the Respondent No.5 and Sri M. Lakshmi Narayana, learned Special Public Prosecutor for Respondent No.6.

2. In compliance with the Order of this Court dated 17.10.2025, the Respondent No. 2 has filed the Counter Affidavit on 24.10.2025. The same is on record. This Court has perused the contents of the Counter Affidavit filed on 24.04.2025.

3. This Court has minutely gone through the 16 sealed-bundles submitted by the Director General of Police (CID). Having gone through the seized documents (in 16 sealed bundles), this Court has taken pains to take note of several events, which have chronologically occurred. For the proper understanding of the events that led to the bringing of the investigation against Sri C.V. Ravi Kumar to a grinding halt, and thereafter, filing a charge sheet without laying the relevant charges as per statute and also eventually compromising/compounding within a close of proximity of time are noted herein:

Chronological description of events

Sl.No.	Date	Important Facts
01	29.04.2023	On the Report given by Sri Y. Satish Kumar, AVSO, a case in Cr.No.19/2023 under Sections 379 and 381 of Indian Penal Code (hereinafter referred to as 'IPC') was registered at about 11.00 p.m. against Sri C.V. Ravi Kumar, working as Supervisor in Parakamani.
02	29.04.2023	Though the accused was a public servant, the Police never made an attempt to include Section 409 of IPC in the F.I.R.

03	29/30.04.2023	The Investigating Officer did not suspect the similar type of incidents in the past and did not arrest the accused for interrogation and judicial custody. The Investigating Officer simply served the Notice under Section 41A of Cr.P.C to the Accused.
04	30.04.2023	The Investigating Officer simply recovered the stolen property under the cover of Police Proceedings, even without calling the independent witnesses and drafting Mediators Report.
05	30.04.2025	The Investigating Officer examined 04 witnesses on the same day and recorded their statements under Section 161 of Cr.P.C.
06	12/18.05.2023	The accused and his wife offered and gifted certain immovable properties to TTD and the properties were worth Rs.14.5 Crores. The TTD never disclosed anywhere in the proceedings that he was an accused in theft case and accepted the gift deeds without reference to his involvement in the theft case as such.
07	---	Despite such huge offer made by the accused as gift to the Deity of a sum of Rs.14.5 crores, neither the police (Crime Branch) nor the Anti Corruption Bureau (ACB) attempted to verify the assets (movable and immovable) held by the accused and his family members whether such assets have been acquired with the known sources of income.
08	30.05.2023	The Investigating Officer, without any further investigation, signed Charge Sheet.
09	31.05.2023	The Investigating Officer filed the Charge Sheet before the learned II Additional Judicial First Class Magistrate's Court, Tirupati. It is self-explanatory.
10	31.05.2023	The Superintendent of the Court put up an Office Note on the same day mentioning the date of filing as 31.05.2023 and date of registration as 31.05.2023. The Superintendent also prepared the order of taking cognizance for the offences under Sections 379 and 381 of IPC.
11	31.05.2023	The learned II Additional Judicial First Class Magistrate, Tirupati had taken 'cognizance', issued summons to the accused only under Sections 379 & 381 of IPC and posted the case to the next day i.e., 01.06.2023. The entire Office Note and the order of cognizance was with the same font and appears to be single print.
12	---	The copy of the summons duly signed by the learned II Additional Judicial First Class Magistrate, Tirupati is not found in the record seized from the Court on 14.10.2025.

13	01.06.2023	The accused as well as the defacto complainant Sri Y. Satish Kumar were present before the Court and filed a Joint Memo reporting that they voluntarily compounded the case.
14	01.06.2023	The learned II Additional Judicial First Class Magistrate, Tirupati recorded the compromise despite the fact that the 'defacto complainant' is not the owner of the property involved in the case.
15	01.06.2023	The accused and even the defacto complainant did not move a petition under Section 320 (2) of CRPC seeking permission of the Court to compound the offences punishable under Sections 379 and 381 of IPC.
16	01.06.2023	The learned II Additional Judicial First Class Magistrate, Tirupati, after recording the compromise, adjourned the case for passing of Award to 09.09.2023 stating that no LOK ADALAT was scheduled on 01.06.2023.
17	03.06.2023	Counter Affidavit filed by Respondent No.2 in this Writ Petition (Para No.7) discloses that Sri Y. Satish Kumar (*defacto* complainant) worked in Parakamani from 24.04.2023 upto 03.06.2023 and thereafter was repatriated to the parent unit (parent unit – AR of multizone-II) on 05.06.2025. It also states that no departmental action was initiated against Sri Y. Satish Kumar in relation to Lok Adalat compromise (Para No.8 of the Counter Affidavit).
18	12.05.2023 18.05.2023	In the mean while, an office note (in eOffice) was put up in TTD seeking permission of the Board for accepting the gifts executed by the Accused and his Wife. There was a mention in the Office Note that 'the procedure in vogue' could not be followed due to time constraint as the subject matter should be placed before the Board on 19.06.2023. According to Rule 157 of TTD Rules issued under G.O. Ms. No. 311, by the Revenue (Endowments-I) Department on April 9, 1990, all the gifts to the TTD shall be with the sanction of the Board.
19	06.06.2023	According Rule 159 of TTD Rules, publication shall be issued calling for objections within 30 days before accepting the gifts and such procedure was not followed stating that there was paucity of time. 'The Note' put up by the Office of TTD indicates that two options were given – whether to proceed with paper publication ? or to proceed without paper publication ?. The Joint Executive Officer and the Executive Officer, along with the hierarchy of the Officers singed digitally to proceed without paper publication and referred the issue to the TTD Board for exemption from publication and also to accept the Gift Deeds furnished by Sri C.V. Ravi Kumar (accused) and his

		family members. The glaring shortcomings in this proceeding is the absence of even a whisper as regards involvement of Sri C.V. Ravi Kumar in the theft case and the eventual compromise recorded by the learned II Additional Judicial Magistrate of First Class, Tirupati as recently as on 01.06.2023. Reasons for 'paucity of time' are also not disclosed.
20	19.06.2023	The Chairman alone signed the Resolution No.159, granting approval to the gifts made by the Accused and his Wife. The TTD Officials certified that there was no other record relating to the said Resolution, and the said fact was underlined in the certificate dated 14.10.2025.
21	24.07.2023	The Executive Officer, TTD authorized one Sri B. Ramesh Kumar, TTD employee, to appear before the Court for taking return of property as per Section 451 Cr.P.C.
22	01.08.2023	The Authorized Officer filed a petition under Section 451 of Cr.P.C duly giving notice to Assistant Public Prosecutor and without giving notice to the accused though the accused was in appearance by moving Joint Memo on 01.06.2023.
23	07.08.2023	The notice to the accused was sent by post and a postal receipt was filed before the Court. The same was considered by the learned II Additional Judicial First Class Magistrate, Tirupati before passing the order for return of the property.
24	17.08.2023	The property was ordered to be returned and the Authorized Officer received the same duly acknowledging.
25	09.09.2023	The learned II Additional Judicial First Class Magistrate, Tirupati passed the Lok Adalat Award without a Petition seeking permission under Section 320 (2) Cr.P.C at the behest of the defacto complainant (Sri Y. Satish Kumar) who cannot be treated as the owner of the property and without there being an authorization to compound the offences issued by the T.T.D Management Board. Accused was acquitted under Section 320 (8) Cr.P.C.
26	22.07.2024	A Member of the Andhra Pradesh Legislative Council addressed a complaint to the TTD about the Parakamani theft.
27	25.07.2024	In response to the Complaint of the M.L.C, Sri M. Giridhar Rao (Vigilance and Security Officer) had replied on 25.07.2024. Para No.7 of the said reply dated 25.07.2024 states that the compromise was effected keeping in mind the sensitivity involved. In Para No.8 of the Reply, Sri M. Giridhar Rao stated that the Parakamani theft issue was compromised due to extreme 'police pressure'. He also certified

		the exemplary character and conduct of Sri Y. Satish Kumar (*defacto* complainant).
28	---	The TTD did not initiate any action against any one even after admitting that the criminal case was closed against Sri C.V. Ravi Kumar due to 'police pressure'.

4. On perusal of the documents, it is noticed by this Court that the events can be divided into following heads :

i. **Criminal case against Sri C.V. Ravi Kumar**: This includes the stage from registration of F.I.R dated 29.04.2023 upto to the stage of closure of the criminal case in the National Lok Adalat on 09.09.2023.

ii. **Gifts accepted by the T.T.D:** Offer made by Sri C.V. Ravi Kumar and the family members to donate/gift properties worth Rs.14.5 crores. This includes Proceedings of the Office of the Tirumala Tirupati Devasthanams and the approval given by the Chairman of the T.T.D on 19.06.2023 without any Resolution by the Board.

Compounding of Offences under Sections 379 and 381 of IPC

5. On perusal of the record, this Court has noticed a complete compromise by the Investigating Officer, Officers of the T.T.D and the complacent approach by the T.T.D Board, as such by its stoic and profound silence and inaction. This Court has also noticed non-application of mind on the part of the Presiding Officer at the stage of taking cognizance and at the stage of recording of compromise. These discrepancies/shortcomings, which go to the root of the matter are discussed herein below.

6. Omission of laying serious charge of Section 409 of Indian Penal Code against the accused, who is a public servant, charged with the offence of theft. Admittedly, as per the Proceedings dated 31.10.1985, Sri C.V. Ravi Kumar from the Pedda Jeeyar Mutt was appointed to serve as a Supervisor in Parakamani right upto the date on which he was charged for an offence of

theft i.e., on 29.04.2023, the accused, for all purposes is a 'public servant' and was in the service of Parakamani for about 38 years. Therefore, the Investigating Officer 'ought to have commenced' his investigation by laying a charge under Section 409 of IPC that relates to entrustment of property to a public servant. In the Supervisory capacity, the accused was entrusted with responsibility of preventing theft, misuse or misappropriation of the offerings/gifts made by the devotees. Whereas, the said Supervisor himself had committed the offence of theft and charged as such. While the Investigating Officer was required firstly to charge the accused under Section 409 of IPC (non-compoundable), the Investigating Officer has only charged Sri C.V. Ravi Kumar under Sections 379 & 381 of IPC (compoundable). The charge sheet was also filed on 30.05.2023 charged under Sections 379 & 381 of IPC. The learned II Additional Judicial Magistrate of First Class, Tirupati has taken cognizance on 31.05.2023 i.e., on the next date and issued summons to the accused and posted the matter to the following date i.e., 01.06.2023. At this stage, the learned II Additional Judicial Magistrate of First Class, Tirupati is endowed with the indispensable responsibility of 'application of mind' to see whether proper charges have been laid against the accused or not (law is well settled).

7. As stated earlier that, right at the stage of commencing the investigation itself, it is elementary on the part of the Investigating Officer and that it is incumbent on the part of the Judicial Officer at the stage of taking cognizance to ensure that the accused shall be charged under Section 409 of IPC. In this regard, this Court is of the prima-facie opinion that there is a lapse on the part of the Investigating Officer as well as the Presiding Officer. In the opinion of this Court, this omission is a serious lapse.

8. This apart, the accused was not arrested. Instead the Investigating Officer had only issued notice under Section 41A of Cr.P.C. The Part-I Case Dairy does not disclose details of the investigation regarding assets (movable and immovable) possessed by the accused. This proves that no investigation,

either by the Crime Branch or by the Anti Corruption Bureau, had been undertaken in this direction. The chronology of events described hereinabove would also indicate that the entire criminal proceedings were brought to compromise/conclusion by 01.06.2023 and the recording of compromise before the 'Lok Adalat' on 09.09.2023 was just a 'residual formality'.

9. The Proceeding initiated by the Executive Officer for authorizing one Sri B. Ramesh Kimar, T.T.D employee to receive the stolen property vide Proceeding dated 24.07.2023 would clearly indicate that the Executive Officer had merely authorized Sri B. Ramesh Kumar to receive the stolen property, whereas the authorization or any Proceeding for recording of compromise under Section 320 (2) of Cr.P.C was neither issued by the Executive Officer nor was it recorded anywhere on or before 01.06.2023 or before 09.09.2023.

10. Charge under Section 409 of IPC is non-compoundable. Even in respect of the inadequate charges framed against the accused under Sections 379 & 381 of IPC, the competent person to compound/compromise is the 'owner of the property'. The defacto complainant, by any stretch of imagination, can never be regarded, in the eye of law, as the owner of the property. Admittedly, the Dollar bills were offered/gifted to the Lord Venkateswara Swamy by the devotees as an offering. The moment the devotees make offerings to the Deity, it is the Deity who becomes the owner of the property and the T.T.D through its Management Board, that acts and decides on behalf of the Deity would be required to consider and pass a Resolution. However, it is doubtful whether the T.T.D Board of Management can even pass a Resolution to compound/compromise an offence of this nature inasmuch as the offence committed by the accused is a 'public offence' and the T.T.D, which is a Public Institution, could have compounded or compromised or not. This discussion is being done because of the absence of charge under Section 409 of IPC, which had been omitted by the Investigating Officer and had missed-out the scrutiny/cognizance by the Presiding Officer.

11. The Counter Affidavit filed by the Respondent No.2 would also disclose the interesting facts, inasmuch as the defacto complainant, Sri Y. Satish Kumar was not a regular employee in the T.T.D and was brought on deputation from a different Service/Department on or about and had officiated in Parakamani from 24.04.2023 upto 03.06.2023. It is noteworthy to mention that the Presiding Officer has recorded compromise at the behest of the defacto complainant Sri Y. Satish Kumar, and just within two days thereafter Sri Y. Satish Kumar was relieved of his duties from Parakamani i.e., on 03.06.2023. But it is also to be noted, that Sri Y. Satish Kumar once again personally appeared before the Lok Adalat on 09.09.2023 despite the fact that he was not in the service of T.T.D as on the date.

12. It is also noticed by this Court that the Presiding Officer has followed all the statutory procedures scrupulously for ensuring return of property on 17.08.2023, but the same Presiding Officer has not followed similar statutory procedures for taking of cognizance on 31.05.2023 and recording of compromise on 01.06.2023 as is evident from record. This apart, it is also noticed that at the stage of seizure of the stolen property, neither Mediator Report nor the Panchanama has been prepared by the Investigating Officer with regard to the Dollar Bills that were recovered.

Acceptance of Gift Deeds from Sri C.V. Ravi Kumar (Accused)

13. The seized documents would indicate that certain properties were offered by the accused and his family in two spells namely on 12.05.2023 and 18.05.2023. The seized documents would also indicate that as per Rule 159 of the T.T.D Rules, if any Donor offers an immoveable property as offering/gift, it is required to be published atleast 30 days before the T.T.D Board accepts such offer/gift. In the present case, a note was prepared by the Office of the T.T.D, thereby giving two options i.e., whether to proceed with the paper publication? or to proceed without paper publication ?. This Court has noticed that the Officers at various levels including the Joint Executive Officer and the Executive Officer have ‘digitally signed’ in favour of acceptance of the Gift

without paper publication and had recommended/referred the issue to the T.T.D Board seeking exemption from publication and also to accept the Gift Deeds offered by Sri C.V. Ravi Kumar (accused) and his family. It is noteworthy to mention two aspects here. One is that in all these Proceedings with regard to the acceptance of Gift Deeds on or about 06.06.2023 in the T.T.D Office, there is not even a whisper about the initiation of criminal proceedings against Sri C.V. Ravi Kumar on 29.04.2023 for the offence of theft in the capacity of a 'public servant' and also the compromise recorded on 01.06.2023 or the Lok Adalat Award dated 09.09.2023. Secondly, the Proceeding would also indicate that the Chairman of T.T.D has simply 'approved the recommendation'. At the time of seizure of the documents by the D.G.P - C.I.D on 14.10.2025, the T.T.D Officials have clearly noted that there is no other Proceeding of the T.T.D Board accepting the donation offered by Sri C.V. Ravi Kumar and his family. Another shortcoming in the present investigation is with regard to the investigation that ought to have been done with regard to the assets held by Sri C.V. Ravi Kumar and his family and whether such assets have been acquired proportionate to the known sources of incomes of Sri C.V. Ravi Kumar.

14. The Counter Affidavit (filed on 24.10.2025) by Respondent No.2 – Executive Officer would also indicate that as on the date of recording of compromise/compounding of offences at the behest of the defacto complainant Sri Y. Satish Kumar, there was no express authorization from the owner of the property i.e., from the 'Deity through the Management Board of T.T.D' . This is besides the fact that, if Sri C.V. Ravi Kumar was correctly charged with proper provision of law i.e., under Section 409 of IPC, the issue of compromise/compounding would not have been possible at all.

15. It is also surprising to note that the Executive Officer has taken sufficient interest in authorizing Sri B. Ramesh Kumar, employee of T.T.D to receive the stolen property, but insofar as the recording of compromise and closing of the criminal case, neither the Executive Officer nor the T.T.D Board

has issued the Proceeding, while fully being aware of each and every Proceeding that was going on in the Court of the learned II Additional Judicial Magistrate of First Class, Tirupati. While the noted shortcomings are the major ones, this Court has also noted several smaller discrepancies. This Court is of view that what is noted above is just the tip of ice berg. This Court, prima-facie, noticed that the statutory provisions, statutory procedures and several other administrative procedures have been given a complete go-bye to ensure that a heavy-lid is placed on the criminal proceeding with a view to give a quietus as expeditiously as possible for the reasons best known to several persons/authorities involved in the entire process. Whether these events have taken place out of gross negligence and non-application of mind of the authorities or due to active connivance and foul-play is a thing which requires very serious investigation in the opinion of this Court.

16. This Court, having considered the facts, is of the prima-facie opinion that the compromise/compounding of offences under Sections 379 & 381 of IPC, in the given facts and circumstances of the case, is *per se* illegal, inasmuch as the defacto complainant had no authority to agree for a compromise. The defacto complainant, by no stretch of imagination, can be considered to be the owner of the property. In any case, the charging of the accused only under Sections 379 & 381 of IPC was perhaps intended to facilitate recording of compromise by leaving-out the charge against the accused under Section 409 of IPC. However, this Court (Learned Single Judge) is not the competent to set aside the compromise recorded by the Lok Adalat on 09.09.2023. In any case, this Court has already noted that the recording of compromise on 09.09.2023 by the Lok Adalat is only a formality because the learned II Additional Judicial Magistrate of First Class, Tirupati has already recorded the compromise vide Proceeding dated 01.06.2023 that is evident from the docket of that Court, which was examined by this Court during the scrutiny of the documents. Insofar as the Award passed by the Lok Adalat on 09.09.2023 is concerned, this Court deems it appropriate to refer this limited issue to the Hon’ble Division Bench for appropriate consideration.

17. Insofar as the other aspects are concerned, that is with regard to the non-laying of charge under Section 409 of IPC against the accused and with regard to the inaction on the part of the Officials of the T.T.D and the Chairman of the Board of Management of T.T.D in approving the properties offered by the accused by dispensing the statutory requirement of 30 days notice and with regard to non-mention of the fact that Sri C.V. Ravi Kumar was already embroiled in a criminal case of theft of Dollar Bills while working as Supervisor in Parakamani and the closure of the case are the matters which requires serious probe.

18. Even with regard to the Representation given by the Writ Petitioner herein on 10.09.2024, the Counter-Affidavit filed by the Respondent No.2 is silent about the further action taken by them, except stating that the Representation was transmitted by the Executive Officer to the Chief Vigilance and Security Officer without mentioning any date. Similarly, the action proposed by the Respondent No.3 to initiate disciplinary action against the Respondent No.4 is also silent about the date. There is only a mention of the Report dated 17.05.2025. This leaves scope to this Court to assume that there is inaction on the part of the T.T.D from 10.09.2024 up to 17.10.2025.

Directions

19. In the above premise, the following directions shall be issued :

i. A Police Officer who is of the rank of Director General of Police in C.I.D shall investigate into all issues and aspects indicated in this Order including the role of the Board and Officers of the T.T.D, the role of the Investigating Officer and the defacto complainant and submit a Report in a sealed cover to this Court, which shall also include the proposed action based on the Investigation Report. The Report shall be submitted to the Court through the Registrar (Judicial) before the next date of listing;

ii. A Police Officer who is of the rank of Director General of Police, Anti Corruption Bureau (ACB) shall investigate into the assets (movable and immovable including bank accounts) possessed/acquired by Sri C.V. Ravi Kumar and his family including all kinds of alienations by him and members of his family by way of registrations or otherwise. The possession/acquisition of the assets shall be investigated from the point of view of the 'known sources of income of Sri C.V. Ravi Kumar and his family.' The Report which shall also include the proposed action based on the Investigation Report shall be submitted to the Court through the Registrar (Judicial) before the next date of listing;

iii. The Registry shall place a copy of this Order before the Hon'ble The Chief Justice for allocation of the issue regarding the legality of the Award passed by the Lok Adalat on 09.09.2023 for consideration before the Hon'ble Division Bench. This shall be put up by the Registry within three days from the date of uploading of this Order on the web-site of this Court before the Hon'ble The Chief Justice;

iv. Court Officer is directed to hand over the 16 sealed-bundles to the Registrar (Judicial) under proper acknowledgment. Registrar (Judicial) is directed to hand over 16 sealed-bundles to the Director General of Police-CID under proper acknowledgement within one day from the date of uploading of this Order on the web-site of this Court;

v. Registrar (Vigilance) shall place a copy of this Order in the Annual Confidential Report of the Presiding Officer of learned II Additional Judicial Magistrate of First Class, Tirupati officiating during the relevant period that is from 29.04.2023 upto 09.09.2023.

vi. For the purpose of maintaining integrity and transparency on administrative side, this Court is of the opinion that the learned II

Additional Judicial Magistrate of First Class at Tirupati shall be divested from all Protocol duties with immediate effect. Registrar (Judicial) shall submit a copy of this Order before the concerned Administrative Committee for effective compliance.

20. List this matter on 02.12.2025 for further consideration.

GANNAMANENI RAMAKRISHNA PRASAD, J

I.A.No.3 of 2025
(Impleadment Petition)

Heard Sri Unnam Muralidhar Rao, learned Senior Counsel assisted by Sri Unnam Akhil Chowdary, learned Counsel for the Applicant/proposed Respondent No.7 and Sri C. Nageswara Rao, learned Senior Counsel appearing for the Respondent Nos.4 & 5.

2. Let Counter Affidavit be filed in this Application in the meantime.

GANNAMANENI RAMAKRISHNA PRASAD, J

I.A.Nos.6 & 7 of 2025

This Court does not have the jurisdiction to consider the prayers sought in these two Interlocutory Applications bearing I.A.Nos.6 & 7 of 2025.

2. The Applicants are at liberty to press for these two Interlocutory Applications whenever the matter is listed before the Hon'ble Division Bench of this Court with regard to the referred issue.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt:27.10.2025
Note: Issue C.C today,
B/o, JKS/MNR/Vns
L.R. Copy to be marked.