NC: 2026:KHC:35482
WP No. 14309 of 2026

HC-KAR

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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 14309 OF 2026 (GM-RES)

BETWEEN:

1. PAVITRA RAMANUJAM
   D/O N. RAMANUJAM
   AGED ABOUT 38 YEARS
   R/AT P-40/G-A/BLOCK-I,
   SEAWARD STREET,
   VALMIKI NAGAR, THIRUVANMIYUR,
   VELACHERY, CHENNAI,
   TAMIL NADU - 600 041

...PETITIONER

(BY SRI. GAUTHAM BHARADWAJ, ADVOCATE FOR

SRI. ANKITH JAIN, ADVOCATE)

AND:

1. DEPUTY DIRECTOR
   DIRECTORATE OF ENFORCEMENT
   BENGALURU ZONAL OFFICE,
   HMT MACHINE TOOLS LIMITED COMPOUND,
   BANGALORE COMPLEX,
   NEAR HMT CIRCLE, JALAHALLI,
   BENGALURU - 560013.

...RESPONDENT

(BY SRI. MADHU N. RAO, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF THE BNSS, 2023 PRYAING TO QUASH THE IMPUGNED PROVISIONAL ATTACHMENT ORDER NO.ECIR/BGZO/15/2023/12607 DATED 28/03/2026 ISSUED BY THE RESPONDENT/ENFORCEMENT DIRECTORATE IN SO FAR AS THE PETITIONER IS CONCERNED, ARISING OUT OF PREDICATE OFFENCE IN CRIME NO.26/2020 REGISTERED BY KORAMANGALA POLICE ANNEXURE-A.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before the Court, seeking the following prayer:

"A. Issue a writ in the nature of certiorari to quash the impugned Provisional Attachment Order No. ECIR/BGZO/15/2023/12607 dated 28.03.2026 issued by the Respondent/Enforcement Directorate in so far as the Petitioner is concerned, arising out of predicate offence in Crime No. 26/2020 registered by Koramangala Police; ANNEXURE-A.

B. Pass such other order(s) that this Hon'ble Court may deem fit in the interest of justice & equity."

2. Heard Sri. Gautham Bharadwaj, learned counsel appearing for the petitioner, Sri. Madhu N. Rao, learned counsel appearing for the respondent and have perused the material on record.

3. *Sans* details, facts germane, are as follows:

It would suffice to being that the very petitioner had, on an earlier occasion, approached this Court in **W.P. No.7336 of 2026**, calling in question the summons issued by the respondent–Enforcement Directorate. This Court, while declining to place the entire investigative process in abeyance by granting a blanket stay of further proceedings in the ECIR, considered it appropriate to strike a delicate balance between the investigation and the preservation of the petitioner's personal liberty.

4. In the aforesaid backdrop, this Court passed an order dated **10.03.2026**, it reads as follows:

> "This Court on 04.03.2026 had passed the following order:
>
> > "Sri. Madhu N. Rao, learned counsel is directed to accept notice for the respondent - Directorate of Enforcement.

> The summons so issued to the respondent shall stand suspended, till 06.03.2026.
>
> List this matter on 06.03.2026."

> Learned counsel Madhu N. Rao appearing for the respondent-Enforcement Directorate would submit that the amount involved in the case at hand against the allegation revolves around the money transaction or money collected by the directors of a company Generis Consulting Services Private Limited to the tune of ₹ 7.9 crores and allegedly hoodwinked.
>
> Learned counsel for the petitioner submits that the petitioner is accused No.6 against whom there is no allegation. She was also one of the directors. The counsel Sri.Madhu N Rao submits that she was the director at the relevant point in time, therefore cannot escape investigation. The learned counsel further submits that the predicate offence has been stayed at the hands of the Coordinate Bench way back in the year 2021 and the stay is still subsisting as on today.
>
> **In the light of investigation against all others being continued except the petitioner, I deem it appropriate to direct the petitioner to co-operate with the investigation with a direction that the respondent-Enforcement Directorate shall not take any coercive steps.**
>
> The petitioner shall be present for the purpose of investigation before the Enforcement Directorate on 18.03.2026.
>
> List this matter on 09.04.2026."
>
> (Emphasis supplied)

The operative portion of the aforesaid order admits of no ambiguity. While the petitioner was enjoined to extend her fullest co-operation to the investigative process, the respondent–Enforcement Directorate was directed **"not to take any coercive steps".**

5. What falls for interpretation is, what is legal import of the words **"not to take any coercive steps".** The legal import of the said direction is neither uncertain nor susceptible to expansive interpretation. It is by now a settled principle that an order restraining the investigating agency from taking ***coercive steps*** is essentially a judicial shield erected to preserve the personal liberty of the individual under investigation. Such a direction, in its ordinary legal connotation, proscribes the investigating agency from resorting to arrest or other measures directly impinging upon the person's liberty. It does not, however, denude the statutory authority of its power to continue the investigation, collect evidence, file a prosecution complaint (by the Enforcement Directorate), or invoke such other statutory remedies as the enactment itself contemplates. The context in which the order dated **10-03-2026** came to be rendered, leaves no manner of doubt that the protection extended by this Court was confined

to insulating the petitioner against arrest, during the course of investigation and nothing beyond.

6. The petitioner, in compliance with the said order, appeared before the Enforcement Directorate and co-operated with the investigation. The investigation thereafter culminated in filing of a prosecution complaint before the jurisdictional Court. Consequent upon the presentation of the prosecution complaint, the Adjudicating Authority, exercising jurisdiction under the Prevention of Money Laundering Act, initiated attachment proceedings and, by order dated **28-03-2026**, passed a **Provisional Attachment Order** attaching the properties of the petitioner. It is this very order of provisional attachment that constitutes the fulcrum around which the present writ petition revolves.

7. The matter thereafter came to be listed before a Co-ordinate Bench on **29-04-2026**, which passed the following interim order:

> "Sri Madhukar Deshpande, learned counsel is directed to accept notice for the respondent.
>
> **A coordinate Bench of this Court in W.P No.7336/2026 while dealing with the challenge to**

the summons issued to the petitioner herein under the Prevention of Money Laundering Act, 2002, took note of the fact that the predicate offence in C.C.No.417/2021 on the file of the IV Additional Chief Metropolitan Magistrate, Bengaluru, was stayed in so far as the petitioner herein is concerned in Crl. P. No.8938/2021, and directed the petitioner to co-operate with the investigation and also directed the Enforcement Directorate not to take any coercive steps. This order was passed on 10.03.2026.

Learned counsel for the petitioner submits that despite the direction issued by a coordinate Bench of this Court directing the Enforcement Directorate not to take any precipitative action, provisional order of attachment is passed by the Enforcement Directorate dated 28.03.2026.

In that view of the matter, until the next date of hearing, the provisional order of attachment bearing F.No.ECIR/BGZO/15/2023/12607 dated 28.03.2026 passed by the respondent is stayed.

One-week time is granted to comply with the office objections.

List this petition along with W.P. No.7336/2026 on 04.06.2026."

(Emphasis supplied)

The submission advanced before the Co-ordinate Bench proceeded upon the premise that this Court, by its earlier order dated **10.03.2026**, had interdicted the Enforcement Directorate from taking any **"precipitative action"**, and that the issuance of the provisional attachment order amounted to a palpable overreach of the judicial mandate. Proceeding on that understanding, the Co-ordinate Bench deemed it appropriate to grant an interim stay of the provisional attachment order.

8. A careful reading of the order dated **10.03.2026**, however, unmistakably demonstrates that the foundation upon which the interim order came to rest was, with great respect, factually erroneous. This Court never directed the respondent not to take **"precipitative action."** The words employed by this Court were precise, deliberate and unambiguous—**"not to take any coercive steps".** The Courts are presumed to choose their words with care, and every expression employed in a judicial order carries with it a distinct legal consequence.

9. **The distinction between the two expressions is not one of mere semantics or lexical elegance; it is one that strikes at the very root of the controversy. A direction restraining precipitative action is one of wide amplitude. It has the effect of arresting the onward march of statutory proceedings, freezing the hands of the authority from taking any consequential action, until the Court directs otherwise. Such an order virtually suspends the statutory process in its entirety.**

10. **A direction restraining coercive steps, on the other hand, occupies a markedly narrower field. It is a judicial assurance against coercion directed at the person, not against the statutory process. It protects liberty; it does not paralyse jurisdiction. It prevents arrest; it does not prohibit investigation. It insulates the individual from arrest; it does not eclipse the statutory authority to carry the investigation to its logical culmination or to invoke remedies expressly sanctioned by law, including the institution of prosecution or the initiation of attachment proceedings under the Prevention of Money Laundering Act.**

11. To conflate these two distinct expressions would be to blur a boundary that the law has consciously and consistently maintained. A judicial order must be understood as it is written, not as one of the parties subsequently perceives or portrays it.

12. **Viewed thus, the order dated 10-03-2026 can admit of but one construction—that the respondent was restrained only from taking coercive steps, namely, from**

arresting the petitioner during the course of investigation. It was never an injunction against the continuation of the statutory process under the Prevention of Money Laundering Act, nor a prohibition against the respondent exercising powers otherwise vested in it under the statute. Consequently, the provisional attachment order cannot, by any accepted canon of legal interpretation, be characterised as an act in defiance of or in overreach to the order dated **10-03-2026**. **The edifice of the petitioner's challenge, therefore, rests upon a conflation of two expressions which, in law, inhabit entirely different fields.**

13. The legal connotation of the expression "**coercive steps**" has also engaged the attention of several High Courts. The High Court of Calcutta in **MENKA GAMBHIR v. UNION OF INDIA[1],** while interpreting the expression in the context of proceedings under the **Prevention of Money Laundering Act, 2002**, lucidly expounded its import. The High Court holds as follows:

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[1] 2022 SCC OnLine Cal 3349

"….. ….. …..

> 7. **The expression "coercive steps" is generally understood to mean steps towards arrest and confinement of a person. Although the phrase has frequently been used in numerous orders, parties before the courts accept the meaning to be protection from arrest and detention. The words carry an unmistakable sense of forceful confinement in a manner so as to severely restrict the freedom of a person.** In Punit v. State, 2017 SCC OnLine Raj 4061; a Single Bench of the Rajasthan High Court construed the phrase "no coercive steps" to automatically mean that a person cannot be arrested."

(Emphasis supplied)

The High Court of Calcutta in the afore-quoted judgment was dealing with a case relating to the action of the Enforcement Directorate arising of the proceedings under the Prevention of Money Laundering Act, 2002.

13.1. Subsequently, the High Court of Delhi in the case of **SATYA PRAKASH BAGLA v. STATE**[2], holds as follows:

> **"DISCUSSION AND CONCLUSIONS:**
>
> **31. Upon a careful perusal of order dated 10.01.2025 passed by this court, and after considering the submissions made on behalf of the parties, in order to put to rest any confusion arising from the phrase "coercive measures" used by this Bench in that order, this court would observe as follows:**

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[2] **2025 SCC OnLine Del 7658**

31.1. No authoritative judicial precedent giving any specific connotation or meaning to the phrases 'coercive measures' or 'coercive steps' has been brought to the notice of this court in the present proceedings. If anything, in Neeharika Infrastructure the Supreme Court has observed that where a High Court uses the phrase "no coercive steps to be adopted" …… the High Court must clarify what does it mean by "no coercive steps to be adopted" as the term "no coercive steps to be adopted" can be said to be too vague and/or broad which can be misunderstood and/or misapplied".

31.2. In the considered view of this court, the expressions 'coercive measures' and 'coercive steps' derive their meaning, import and significance from the context and the nature of the proceedings in which they are used. To ascertain the court's intention in employing these expressions in a given order, it is necessary to examine the nature of the relief or protection that was sought and what the court intended to grant to a party at the relevant stage of the proceedings. It would, therefore, be neither appropriate nor judicious for a court to attribute to these expressions any fixed, inflexible, or predetermined meaning. To give an illustration, this phrase is commonly used when a court grants interim relief to a person seeking anticipatory bail; in which case, the phrase is used only in relation to the personal liberty of a person and nothing more.

> **31.3. It can, however, be stated with certainty that the mere articulation of the phrases 'no coercive measures' or 'no coercive steps' with reference to a person cannot to be construed as necessarily implying a stay or suspension of any ongoing investigation against that person.**

32. Insofar as the use of the phrase "coercive measures" in order dated 10.01.2025 is concerned, this court clarifies that the said phrase was used in the context of what the learned APP had submitted before the court at that stage - viz., that since the petitioner was joining investigation as and when called, the I.O. did not require the petitioner's custodial interrogation - which statement was taken on record. Reference made by the learned APP to the petitioner joining investigation, was clearly in relation to the ongoing investigation; and it cannot be said that the I.O. intended to suspend investigation or was inviting an order from this court staying investigation.

33. Order dated 10.01.2025 does not contain any reference to this court interfering with the ongoing investigation against the petitioner; or constraining the investigative powers vested in the I.O. under the BNSS, such as the power to seize or attach property, which are integral to investigation.

34. It was in this backdrop that in para 9 of order dated 10.01.2025, this court recorded, that if subsequently, the I.O. requires to adopt any "coercive measures" against the petitioner, he would move an appropriate application before this court prior to taking any such action.

35. Insofar as the reference made on behalf of the petitioner to orders dated 18.08.2023, 01.10.2024 and 29.11.2024 passed by the Supreme Court in Satish Kumar Ravi is concerned, in the opinion of this court, those orders were passed in the specific backdrop and context of the proceedings in that matter. It bears attention that vide order dated 18.08.2023, the Supreme Court had restrained all further action against the

petitioner in that case, but despite such order, a charge sheet was filed based on the instructions contained in a letter dated 15th April, 2011 issued by the Additional Director General of Police of the State.

36. However, that is not the case in the present matter; and the meaning and intent of the phrase "coercive measures" was not to restrain further investigation against the petitioner. The phrase "coercive measures" was used in order dated 10.01.2025 with reference only to the custodial interrogation of the petitioner, and was therefore used in the context only of the petitioner's personal liberty.

37. It is pertinent to note, that in the present case, para 9 of order dated 10.01.2025 was not a 'direction' of the court but was based on the concession offered by the learned APP, that if and when the I.O. needs to adopt any coercive measures against the petitioner, he would move an appropriate application before this court, prior to taking such action.

38. Having held that the phrase "coercive measures" did not apply to freezing of bank accounts, it may further be observed that if it is the petitioner's contention that freezing of bank accounts can only be done in exercise of the powers of 'attachment' contained in section 107 of the BNSS and not in exercise of the powers of a Police Officer to 'seize' property under section 106 of the BNSS, that contention would be a matter to be pursued by the petitioner before the concerned court.

(Emphasis supplied)

The judgment of the High Court of Delhi is a lucid exposition of the law. It holds that the expression "**No coercive measures"** and "**No coercive steps"** do not possess a rigid, immutable or universal meaning capable of mechanical application in every case. Their true import is gathered from the context in which they are employed, the nature of the proceedings before the Court and, above all, the relief which the Court intended to grant. Yet, the High Court emphatically declared one proposition beyond the pale of controversy – that a direction restraining **coercive measures** does **not**, by itself, does not stay the investigation, nor does it denude the investigating agency of its statutory powers, including powers incidental to investigation such as seizure, attachment or other measures authorised by law. The protection is directed towards preserving the individual's personal liberty *i.e.,* arrest only; it is not an injunction freezing the statutory machinery itself.

14. If the exposition of law by the High Courts of Calcutta and Delhi is juxtaposed with the order passed by this Court on **10.03.2026**, the conclusion becomes inescapable. The direction issued by this Court restraining the respondent-Enforcement Directorate from taking "**coercive steps**" was never intended to interdict the investigation, nor to suspend the exercise of statutory powers vested under the Prevention

of Money Laundering Act. The protection extended by this Court was confined to the petitioner's arrest and nothing beyond. It neither eclipsed the authority of the respondent to continue its investigation nor denuded the Adjudicating Authority of its jurisdiction to proceed in accordance with law and pass a **Provisional Attachment Order**, should the statutory requirement so warrant.

15. The submission that the provisional attachment order is rendered illegal merely because this Court had directed that no coercive steps be taken, therefore, rests upon a complete misapprehension of the scope of the earlier order. The order protected the petitioner from coercive action – arrest; it did not place the statutory process in suspended animation.

16. Once the Provisional Attachment Order has come into existence, the statutory scheme under the Prevention of Money Laundering Act must be permitted to take its ordained course. The petitioner is, therefore, relegated to the statutory forum and shall appear before the Adjudicating Authority,

place such objections as are available in law, and participate in the adjudicatory proceedings.

17. Learned counsel appearing for the petitioner would submit that the petitioner is willing to furnish an undertaking that she shall neither alienate, nor encumber the subject properties in any manner during the pendency of adjudicatory proceedings. Such an undertaking, though fairly made, is a matter that appropriately falls within the province of the Adjudicating Authority itself. It is always open to the petitioner to appear before the said Authority, place the undertaking on record and seek such consideration as the Authority may deem fit in accordance with law.

18. Should the provisional attachment order ultimately culminate in an order of confirmation by the Adjudicating Authority, the petitioner would not be rendered remediless. Every contention presently urged, including those touching upon the scope of the earlier order of this Court and the legality of the attachment proceedings, would remain available to be agitated in appropriate proceedings. The doors of judicial review are never irrevocably closed; they merely

await the ripening of the statutory process. The petitioner would, therefore, be at liberty to seek appropriate relief before this Court at the appropriate stage, if the circumstances so warrant.

SUMMARY:

a. ***An order directing "no coercive steps" or "no coercive measures" would only mean that the accused or any person in favour of whom such order is passed, shall not be arrested.***

b. ***An order directing not to take any precipitative action is of wide amplitude. It stays or suspends the process of investigation in its entirety which would mean all action pursuant to the said action would remain stayed.***

19. With the aforesaid observations, the petition stands **disposed**.

Sd/-
(M.NAGAPRASANNA)
JUDGE

SJK
List No.: 2 Sl No.: 19