APHC010213462026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3558]**
(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 10683/2026

Between:

1. SRI SRAVAN KUMAR MENDU, S/O. LATE SRI MENDU RAMA NANCHARAIAH, AGED ABOUT 35 YEARS, OCCUPATION PRIVATE EMPLOYEE, R/O. DOOR NO. 15-86, PRABHU NAGAR, PORANKI VILLAGE, PENAMALURU MANDAL, KRISHNA DISTRICT, ANDHRA PRADESH - 521 137.

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT - 522237.
2. THE DIRECTOR GENERAL OF POLICE, STATE OF ANDHRA PRADESH, POLICE HEADQUARTERS, MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH - 522503.
3. THE COMMISSIONER OF POLICE, NTR DISTRICT COMMISSIONERATE, VIJAYAWADA, ANDHRA PRADESH - 520010.
4. THE SUPERINTENDENT OF POLICE, KRISHNA DISTRICT, MACHILIPATNAM, ANDHRA PRADESH - 521002.
5. THE STATION HOUSE OFFICER GOLLAPUDI POLICE STATION, NTR DISTRICT, VIJAYAWADA, ANDHRA PRADESH - 521225.
6. THE STATION HOUSE OFFICER, MACHAVARAM POLICE STATION,

NTR DISTRICT, VIJAYAWADA, ANDHRA PRADESH - 520008.

7. THE STATION HOUSE OFFICER, PENAMALURU POLICE STATION, KRISHNA DISTRICT, ANDHRA PRADESH - 521139

8. SRI BELLA RAJARATNAM, S/O. (NAME NOT KNOWN TO THE PETITIONER), AGED MAJOR, OCCUPATION PRIVATE SERVICE, R/O. DOOR NO. 32-40-70A YARAMVARI STREET, MACHAVARAM, VIJAYAWADA - 520 004, NTR DISTRICT, ANDHRA PRADESH. (FATHER OF THE DETENUE-WIFE)

9. SMT BELLA LAKSHMI, W/O. SRI BELLA RAJARATNAM, AGED MAJOR, OCCUPATION HOUSEHOLD, R/O. DOOR NO. 32-40-70A, YARAMVARI STREET, MACHAVARAM, VIJAYAWADA - 520 004, NTR DISTRICT, ANDHRA PRADESH. (MOTHER OF THE DETENUE-WIFE)

...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 topleased to issue a Writ of Habeas Corpus, or any other appropriate Writ, Order or Direction in the nature of Habeas Corpus, directing Respondent Nos. 8 and 9 to produce the Petitioners legally wedded wife Smt. Bolla Mounika, aged about 32 years, and the Petitioners minor son Master Rudved Rana Mendu, aged about 3 years, (hereinafter referred to as the detenue-corpus No. 1 and detenue- corpus No. 2 respectively) before this Honble Court, and further directing Respondent Nos. 1 to 7 to trace, rescue and produce the said detenue- corpus before this Honble Court, and to pass

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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 direct Respondent Nos. 1 to 7 to immediately constitute a specialized team to trace the whereabouts of the Petitioner's minor son, Master Rudved Rana Mendu, aged about 3 years, and his wife, Smt. Bolla Mounika, aged about 32 years, and produce them before this Hon’ble Court to ascertain their safety and well-being, and to pass

Counsel for the Petitioner:

1. V.RAVINDHAR

Counsel for the Respondent(S):

1. THE ADVOCATE GENERAL

The Court made the following:
ORDER: *(Per Hon'ble Sri Justice Cheekati Manavendranath Roy)*

This writ petition for Habeas Corpus under Article 226 of Constitution of India, is filed seeking direction to the unofficial respondent Nos.8 and 9 to produce a person by name Smt. Bolla Mounika, who is a major aged about 32 years and wife of the petitioner, along with her minor child, alleged to have been in illegal detention of respondent Nos.8 and 9, before the Court and then to set her at liberty.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader appearing for the official respondent Nos.1 to 7.

3. Though notices issued to the unofficial respondent Nos.8 and 9 are not served, both the respondent Nos.8 and 9, who are the parents of the corpus, are present before the Court today.

4. On 22.04.2026, when the matter came up for admission, while issuing notices to unofficial respondent Nos.8 and 9, we have directed the 6th respondent-Station House Officer of Machavaram Police Station, to produce the corpus before the Court, along with her minor child, by name Rudved Rana Mendu, before the Court today. Accordingly, the 6th respondent-Station House Officer has produced the corpus along with her minor child before the Court today.

5. We have interacted with the corpus. She admitted that the petitioner is her husband and the minor child Rudved Rana Mendu is her son born to them during their lawful wedlock. However, she denied that she has been illegally detained and confined by her parents, who are respondent Nos.8 and 9 and that she has been in illegal confinement of respondent Nos.8 and 9. She has stated that as the petitioner, who is her husband, has been harassing her that she has voluntarily left his company and went away to her parents house and staying with them. She has further

stated that she is now a seventh month pregnant and her health is not in good condition. In the said circumstances, she is not willing to stay with the petitioner, who is her husband and that she is willing to stay with her parents, who are respondent Nos.8 and 9. She has stated that after her delivery and after there is an improvement in her health condition that she will take a decision whether to join the company of the petitioner, who is her husband, or not.

6. Thus, she has expressed her intention to stay with her parents and not to stay with the petitioner, who is her husband and as she is a major, aged about 32 years, she got right to choose as to with whom she intends to stay and reside. As she herself has stated that she has voluntarily left the company of the petitioner, who is her husband, as he has been harassing her and went away to her parents house and staying with them, it cannot be said under any stretch of reasoning that she has been illegally detained or confined by respondent Nos.8 and 9, as has been alleged by the petitioner in the writ petition. Therefore, when there is no illegal detention or confinement, as alleged, this writ petition for Habeas Corpus is not maintainable. But, if the petitioner intends to pursue his matrimonial obligations and rights, as per law, he has to pursue the same in the appropriate forum according to law. The petitioner has already given a legal notice to the corpus for restitution of conjugal rights. Therefore, he has to pursue his legal rights, as per law, in the appropriate forum.

7. Resultantly, the Writ Petition is dismissed. However, liberty is granted to the petitioner to pursue his matrimonial rights in the appropriate forum. The corpus is permitted to accompany her parents, who are respondent Nos.8 and 9, as per her wish and stay with them, as she is now a seventh month pregnant. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE TUHIN KUMAR GEDELA

Date: 06.05.2026
MDP