APHC010233692026

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

TUESDAY, THE FIFTH 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: 12125/2026

Between:

1. CHIKATLA SANJITH, S/O SOLOMAN, AGED 22 YEARS R/O. DR.NO.5-28, AMBEDKAR COLONY, RAGHAVAPURAM, WEST GODAWARI DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT BUILDFNGS, AMARAVATHI AT VELAGAPUDI, GUNTUR DISTRICT.
2. THE DIRECTOR GENERAL OF POLICE, STATE OF ANDHRA PRADESH, MANGALAGIRI, GUNTUR DISTRICT.
3. THE SUPERINTENDENT OF POLICE, WEST GODAWARI DISTRICT.
4. THE STATION HOUSE OFFICER, DWARAKA TIRUMALA POLICE STATION, DWARAKA TIRUMALA, WEST GODAWARI DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. G SRI HARSHA

Counsel for the Respondent(S):

1. THE ADVOCATE GENERAL

The Court made the following:

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

AND

THE HON'BLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.12125 of 2026

O R D E R: *(Per Hon'ble Sri Justice Cheekati Manavendranath Roy)*

This writ petition for habeas corpus under Article 226 of the Constitution of India is filed by the petitioner seeking direction to the respondent police officials to trace the whereabouts of a person by name Nallamelli Padma, aged about 23 years, and to produce her before the Court and then to pass appropriate orders as deemed fit and proper by the Court in the facts and circumstances of the case.

2. Heard Mr. G. Sri Harsha, learned counsel for the petitioner, and learned Assistant Government Pleader attached to the office of the learned Advocate General appearing for the official respondents1 to 4.

3. It is the case of the petitioner that the corpus by name Nallamelli Padma is his wife and that their marriage was solemnized on 25.03.2026 at Nava Samaj Society, Eluru, and it was a love marriage. Her parents did not accept for their marriage. Thereafter, while he and the corpus were living together, on 23.04.2026, the family members of the corpus, by name Nallamelli Venkata Krishna, Nallamelli Venkateswara Rao, Nallamelli Durga Rao and Gollapalli Venkata Ramana, came to his house and attacked him and beat him indiscriminately and took away the corpus from his house. It is stated that the father of the petitioner by name Chikatla Soloman lodged a report with Dwaraka Tirumala police and the same was registered as a case in Crime No.94 of 2026 for the offences punishable under

Sections 137(2), 118(1), 351(3) & 331(2) r/w 3(5) of BNS against the family members of the corpus. It is stated that after the corpus was taken away from his house by her family members, her whereabouts are not known to him and the petitioner is in deep sorrowful condition.

4. Therefore, the instant writ petition for habeas corpus has been filed seeking the aforesaid relief.

5. When the writ petition came up for admission before this Court on 01.05.2026, we have directed the 4th respondent – Station House Officer of Dwaraka Tirumala Police Station to produce the corpus by name Nallamelli Padma before the Court today, while granting time to the learned Assistant Government Pleader to seek instructions from respondent Nos.1 to 4.

6. Accordingly, the 4th respondent – Station House Officer of Dwaraka Tirumala Police Station has produced the corpus by name Nallamelli Padma, who is a major aged about 23 years, before the Court today. We have interacted with the corpus in the open Court. She has clearly and categorically stated that she got acquaintance with the petitioner while she was studying in a school and both of them loved each other and that the petitioner has taken her away with him on 24.03.2026 and married her on 25.03.2026 in Nava Samaj Society of Eluru and thereafter, he took her to his house. She further stated that after taking her to his house, he did not look after her properly and he has taken away her mobile phone from her and he has subjected her to harassment. She further stated that unable to bear the said harassment, she has called her parents through mobile phone of some third person and requested them to come and take her with them as she is not comfortable with the petitioner as he has been harassing her. She further stated that after receiving the said phone call from

her, her parents came to the house of the petitioner at Raghavapuram Village in Dwaraka Tirumala Mandal and took her with them and that she is presently residing with her parents.

7. As she has admitted that she has married the petitioner, when we have questioned her whether she is willing to go with the petitioner, she bluntly refused to accompany the petitioner and live with him. When asked for the reason, she has stated that as he is not looking after her properly and as he has harassed her that she is now not willing to live with the petitioner. To a pointed question as to with whom she intends to live at present, she has clearly, categorically and unequivocally stated that she intends to live with her parents only. When questioned whether she has taken the said decision with her free will and volition without any compulsion or duress from any person, she has openly stated before the Court that she has taken the said decision with her free will and volition and not due to any force and compulsion or under duress.

8. As the corpus is a major aged about 23 years and as she is also an educated person who has been pursuing her B. Pharmacy, she got right to choose with whom she intends to live and stay. As she has taken a conscious decision to stay with her parents and as we are satisfied that she has taken the said decision with her free will and volition, it cannot be said that she has been in illegal confinement or detention as alleged by the petitioner in the writ petition.

9. The allegations made by the petitioner in the writ petition that the parents of the corpus came to his house and attacked him and beat him and took the corpus by force from his house are not found to be true from the statement given by the corpus before the Court. The allegation that the corpus was illegally confined and detained by her

parents, as ascribed in the writ petition, is also not found to be true from the statement given by the corpus, who is a major. Therefore, when it is not proved or found that the corpus is in illegal confinement or detention of her parents as alleged by the petitioner, this writ petition for habeas corpus is not maintainable.

10. Resultantly, the writ petition is dismissed as it is devoid of merit. The corpus by name Nallamelli Padma, who is a major aged about 23 years, is permitted to accompany her parents, who also attended the Court according to her, and stay with them as per her wish expressed by her with her free will and volition.

As a sequel, interlocutory applications, if any pending, in this case shall stand closed. There shall be no order as to costs.

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE TUHIN KUMAR GEDELA

Date: 05.05.2026
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THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

AND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.12125 of 2026

Dt: 05.05.2026

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