APHC010480012026

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

THURSDAY, THE 1st DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 26126 OF 2026

Between:

1. Morla Rambabu,, S/o Venkateswarlu, Aged about 43 years, Occ. Coolie, Rio. Kummaripalem, H/o. Viswavandhapalli Village, Koduru Mandal, Krishna District - 521130

2. Morla Udhaya, , W/o Rambabu, Aged about 38 years, Occ. Coolie, Rio. Kummaripalem, H/o. Viswavandhapalli Village, Koduru Mandal, Krishna District- 521130

3. Jannu Bhulakshmi,, W/o Late Jannu Nancharya, Aged about 63 years, Occ. Coolie, Rio. Padalavaripalem Village, Mandapakala Post, Koduru Mandal, Krishna District - 521328

...Petitioners

AND

1. The State of Andhra Pradesh, , rep. by its Principal Secretary, Department of Home, Secretariat, Velagapudi, Amaravati, Guntur District - 522238

2. The Director General of Police, Government of Andhra Pradesh, Mangalagiri, Guntur District - 522503

3. The Superintendent of Police at Machilipatnam, Krishna District -521002

4. The Station House Officer, Koduru Police Station, Koduru, Krishna District-521328

5. Morla Veera Raghavamma, W/o Narasimha Rao, Rio. Kummaripalem, H/o. Viswavandhapalli Village, Koduru Mandal, Krishna District 521130

...Respondents

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 toissue the Writ, Order or direction more particularly one in the nature of Writ of Habeas Corpus to direct the Respondents 3 and 4 to trace out the son of the Petitioners 1 and 2 by name Mona Venkateswara Rao to produce before this Hon'ble Court to handover the son of the Petitioners 1 and 2 to the Petitioners 1 and 2, subsequently to direct the 3rd Respondent to conduct the enquiry on the 4th Respondent with regard to harassment of the Petitioners 1 to 3 and son of the Petitioners 1 and 2 with connection of Crime No. 78 / 2026 on the file of the 4th Respondent for non - interference of the personal lives of the Petitioners 1 to 3 and son of the Petitioners 1 and 2

Counsel for the Petitioners: NAGANJANEYULU BORRA

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following order:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 26126 OF 2026

ORDER: *(per Ravi Nath Tilhari, J)*

Heard Sri Naganjaneyulu Borra, learned counsel for the petitioner, Sri J. Krishna Praneeth, learned Assistant Government Pleader appearing for the respondents.

2. The respondent No.4 has filed the counter affidavit.

3. Learned Assistant Government Pleader submits that as per the counter affidavit, the alleged detenu was traced at Eorachak, West Bengal State, on 22.09.2026 at 6.21 P.M. with the help of the West Bengal Police. On an enquiry, it was informed that the alleged detenu went as a Helper to a Lorry Driver for the Lorry Bearing No.AP 37-TF-4055 from Vijayawada to West Bengal and would be returning to Vijayawada on 26.09.2026.

4. Learned Assistant Government Pleader submits that there was no illegal detention of the alleged detenu. But, there was an FIR in Cr.No.78 of 2026 of Koduru Police Station, Krishna District, dated 30.04.2026. He further submits that maybe for that reason, to evade the arrest or legal process, the detenu left for the State of West Bengal.

5. By an order dated 25.09.2026, we directed the respondents to produce the alleged detenu before this Court, in view of the submissions advanced by the learned counsel for the petitioners referring to the pleadings of the writ petition.

6. Mr. Morla Venkateswara Rao/detenu has been produced before this Court by the respondent No.4/Station House Officer, Koduru Police Station, Koduru, Krishna District. Petitioner Nos.1 and 2 (the parents) are also present with the counsel, and they have identified the alleged detenu.

7. The alleged detenu submits that he, on his own, went to West Bengal and is working as a Helper to the Lorry Driver. He further submits that he does not wish to go with the petitioners.

8. Recording the same, the Writ Petition for Habeas Corpus is closed.

9. It is however made clear that if the alleged detenu is an accused in some case, this order will not come in the way of the Police authorities to deal with such matter against the alleged detenue (accused) in accordance with law.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

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RAVI NATH TILHARI,J

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ALAPATI GIRIDHAR,J

Dated: 01.10.2026
SRT

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 26126 OF 2026

Dated: 01.10.2026
SRT