APHC010528562026

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

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 28696 OF 2026

Between:

1. MOLLETI VANI, W/o Sadaram Dinesh, aged about 31 years, D.O.B. 06-07-1995, R/o H.No. 6-1/21, Flat No. 309, Sri Lotus Mansion, D.K. Enclave Road, J.P. Nagar, near Mirra Hospital, Miyapur, District K.V. Rangareddy, Telangana -500049. Aadhaar No. 3536 6503 1615. Mobile No. 9581113538.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Principal Secretary, Home Department, Secretariat, Room No. 186, 2nd Block, Andhra Pradesh Secretariat, Velagapudi, Guntur District, Andhra Pradesh 522238.

2. The Director General of Police, Andhra Pradesh, Police Headquarters, Amaravati APSP 6th Battalion, Mangalagiri, Guntur District, Andhra Pradesh 522503.

3. The Commissioner of Police, , Visakhapatnam City, Office of the Commissioner of Police, Asilmetta, Visakhapatnam, Andhra Pradesh 530003.

4. The Station House Officer, IV Town Law and Order Police Station, Visakhapatnam City, Visakhapatnam, Andhra Pradesh 530003.

5. The Superintendent, Central Prison, Visakhapatnam, Visakhapatnam 530008.

...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 a writ, order or direction, more particularly one in the nature of a Writ of Habeas Corpus, calling upon the Respondents, including Respondent No. 5, to set the Detenu at liberty, Sadaram Dinesh, S/o Sadaram Siva, aged about 34 years, D.O.B. 12-09-1992, Software Engineer, Aadhaar No. 3212 6706 4100, presently in Judicial custody in connection with Crime No. 03 of 2026 of IV Town Law and Order Police Station, Visakhapatnam City, and upon such production to declare that the apprehension dated 30-09-2026, the arrest recorded at 20.48 hours on 01-10-2026, and the subsequent remand, are illegal, unlawful, arbitrary, without jurisdiction, mechanical and violative of Articles 14, 21 and 22 of the Constitution of India, and Consequently, this Hon'ble Court may be pleased to direct the Respondents to set the Detenu at liberty forthwith, applying the ratio of Prabir Purkayastha v. State (NCT of Delhi), (2024) 8 SCC 254, paragraphs 49 and 50, as the written grounds of arrest never having been communicated

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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 Direct the Respondents no.2 to 4 to preserve and produce the closed-circuit television footage of IV Town Law and Order Police Station from 06:00 hours on 01-10-2026 to 14:00 hours on 02-10-2026, the arrest memo, the written grounds if any, the notice under Section 35(3), the general-diary entries, the lock-up register, the remand order, and the particulars of the private vehicle in which the Detenu was brought from Hyderabad to Vishakhapatnam

Counsel for the Petitioner: KARTHIKSIDDARTHA SALADI

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

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

Heard Sri Karthik Siddhartha Saladi, learned counsel for the petitioner and Sri J.Krishna Praneeth, learned Assistant Government Pleader.

2. On 03.10.2026, we passed the following order:

> "This Writ Petition has been placed before this Bench under the orders of the Hon'ble the Chief Justice as house motion.
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> 2. As per the averments of the writ petition as also in the submissions advanced by Sri Karthik Siddhartha Saladi, learned counsel for the petitioner, there is an FIR, under Sections 318 (4) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 21(1)(2)(3) of The Banning of Unregulated Deposit Schemes Act, 2019 (in short 'the BUDS Act'), and the detenu has already been remanded to the judicial custody by the Court of the VI Additional Chief Judicial Magistrate, Visakhapatnam.
>
> 3. Copy of the remand order has not been filed.
>
> 4. Sri J. Krishna Praneeth, learned Assistant Government Pleader appearing through virtual mode prays for time to obtain instructions.
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> 5. List the matter on 05.10.2026."

2. Sri J.Krishna Praneeth, learned Assistant Government Pleader placed the written instructions before us.

3. The written instructions are taken on record.

4. Learned Assistant Government Pleader submits that as per the written instructions “after the arrest of the accused, the entire record was placed before the Hon’ble VI Additional Chief Judicial Magistrate Court, Visakhapatnam and the Hon’ble Court, after thoroughly satisfying itself with the material record placed by the investigation agency, sent the accused to judicial remand.”

5. In writ petition itself in para-12 it was stated that the detenu was remanded to Judicial custody. There is no challenge to the remand order in the present writ petition.

6. We are of the view that in view of the aforesaid, the writ of habeas corpus cannot be proceeded with and no further orders are required.

7. The writ petition is dismissed. However liberty is granted to the petitioner/detenu to challenge the remand order, if so advised, before appropriate forum.

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: 05.10.2026
AG

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 28696 OF 2026

Dated: 05.10.2026
AG