

**HIGHCOURT OF ANDHRA PRADESH AT AMARAVATI****MAIN CASE No: W.P.No.8363 of 2026****PROCEEDING SHEET**

<b>Sl. No.</b>	<b>DATE</b>	<b>ORDER</b>	<b>OFFICE NOTE</b>
01.	31.03.2026	<p data-bbox="428 443 574 478"><b><u>Dr.YLR,J</u></b></p> <p data-bbox="428 541 1305 640">Heard the learned Counsel for the Petitioners and the learned Assistant Government Pleader.</p> <p data-bbox="428 667 1305 1858">Mr.Thandava Yogesh, learned Counsel for the Petitioners would submit that the Petitioner No.1 is the father of the deceased minor child, Syed Thoushik, aged about 11 years, who died under highly suspicious and contested circumstances on 14.02.2026. The case of the Petitioners, as urged before this Court, is that the deceased minor was subjected to severe physical assault at the hands of Respondent Nos.11 and 12, who are private individuals, and that the said brutal assault resulted in the death of the child. It is the emphatic contention of the Petitioners that the death of Syed Thoushik was neither suicidal nor accidental in nature, and that a deliberate and systematic attempt has been made by the Respondent Police, acting in concert with the aforesaid private Respondents, to project what is essentially a case of homicide as one of suicide, thereby shielding the true perpetrators from criminal liability.</p>	Contd...

For a proper appreciation of the matter, it is necessary to set out the relevant sequence of events as placed before this Court. On 14.02.2026 at approximately 4:53 p.m., the deceased minor Syed Thoushik made a telephone call to Petitioner No.1, which lasted for a duration of 5 minutes and 33 seconds. The Petitioners categorically state that during the course of this conversation, the deceased was in a cheerful disposition, exhibited no signs of distress, despondency, or negative emotion of any kind whatsoever, and the conversation pertained exclusively to general and familial inquiries. Thereafter, at approximately 5:05 p.m., the deceased once again telephoned the Petitioners, and this call lasted for a duration of 3 minutes and 1 second. During this conversation, the deceased, in an apparently joyful and enthusiastic frame of mind, requested the Petitioners to bring additional biryani for his friends and urged them to arrive early the following morning so that they could attend a beach festival together. He further communicated to the Petitioners that he had consumed fried rice and two eggs as his evening snacks, demonstrating a completely normal state of mind entirely inconsistent with any suicidal ideation.

Critically, subsequent to these telephone calls, the deceased minor had reportedly stepped out to

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play a game of kabaddi, informing those around him that he would return shortly. This fact, it is submitted, is captured in CCTV footage from the premises. However, the complete and unedited CCTV footage has not been made available to the Petitioners, giving rise to serious and well-founded apprehensions regarding its integrity and preservation. At approximately 6:08 p.m. on the same date, the Petitioners received a distress call informing them that the deceased had been found unresponsive in the bathroom of the school premises and had been rushed to hospital. The circumstances in which the child was found, juxtaposed against his cheerful demeanor and ordinary activities in the preceding hour, are, on the face of it, deeply inconsistent with any theory of suicide.

A complaint was formally lodged by Petitioner No.1 on 14.02.2026, setting out in detail the allegations of assault and murder against the private Respondents. Notwithstanding the explicit and unambiguous nature of the allegations contained in the said complaint, pointing towards the commission of culpable homicide or murder, Respondent No.7, the Sub-Inspector of Police, Singarayakonda Police Station, chose to register the First Information Report merely under Section 194 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as

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‘the BNSS’), which pertains to cases of suspicious and unnatural death, rather than under the penal provisions appropriate to the offence of murder or culpable homicide not amounting to murder, as warranted by the material on record. It is a matter of deep concern that nearly 46 days have elapsed from the date of the complaint, and yet, as of the date of hearing of this petition, Respondent Nos.6 and 7 have taken no steps whatsoever to alter the categorization of the offence and register the case under the appropriate provisions of law, despite the existence of clear and cogent material pointing towards homicide.

The learned Counsel for the Petitioners, Mr.Thandava Yogesh, has drawn the attention of this Court to the following specific and serious procedural irregularities in the conduct of the investigation. Under Section 194 of ‘the BNSS’, whenever the body of a person is found under circumstances raising a reasonable suspicion that the death may have been caused by another, the inquest is mandatorily required to be conducted in the presence of the Executive Magistrate. In the present case, in flagrant disregard of this mandatory statutory provision, the inquest was conducted solely by Respondent No.7, the Sub-Inspector of Police, Singarayakonda Police Station, without the requisite participation of the

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Executive Magistrate. This constitutes a serious procedural violation that vitiates the integrity of the inquest proceedings and casts a shadow of doubt over the veracity of the findings recorded therein. The Petitioners have further averred that they were not permitted to view the body of their deceased minor son, nor were they afforded an opportunity to observe the nature and extent of injuries upon his person. This denial is not merely a procedural lapse but strikes at the very root of the Petitioners' right to seek justice, and is, *prima facie*, consistent with a deliberate attempt to conceal incriminating physical evidence. It is further submitted that the Superintendent of Police, Prakasam District, has been remiss in his duty to supervise and monitor the investigation, failing to ensure that the investigation is conducted fairly, transparently, and in strict accordance with law.

The learned Counsel for the Petitioners has expressed grave and compelling apprehensions before this Court that the CCTV footage, which reportedly captures the deceased minor proceeding to play kabaddi shortly before his death, is in danger of being tampered with, erased, or otherwise destroyed by the Respondent Police, acting in connivance with the private Respondents, for the purpose of obliterating material evidence and

defeating the cause of justice.

This Court is of the considered view that where serious allegations of collusion between the investigating agency and the accused persons are raised by the aggrieved parties, it becomes not merely appropriate but imperative for the police machinery to take proactive and demonstrable steps to preserve the integrity of evidence, so as to dispel any reasonable apprehension of foul play and to demonstrate that the investigation is being conducted with the utmost fidelity to the law and to the truth. The Petitioners' apprehension in this regard cannot be dismissed as speculative or unfounded, particularly given the confluence of circumstances: the projection of an apparent homicide as suicide, the exclusion of the Executive Magistrate from the inquest, the denial of access to the body of the deceased, and the failure over 46 days to register the appropriate penal offence. These circumstances, viewed collectively, present a troubling picture warranting urgent judicial intervention.

Having heard the learned Counsel for the Petitioners at length and also the learned Assistant Government Pleader, and having regard to the serious, grave, and disturbing averments made in this petition, which, on a *prima facie* consideration,

disclose a case warranting immediate remedial action, this Court issues the following directions.

The Superintendent of Police, Prakasam District, is hereby directed to forthwith take all necessary and urgent steps to secure, seize, and preserve the CCTV footage from all surveillance cameras installed at and in the vicinity of the school premises of Respondent No.10, all establishments, residences, and public places neighboring the said school, Sivaram Reddy Hospital, Singarayakonda, and RMP Hospital, Singarayakonda, for the dates 14.02.2026 and 15.02.2026, without any further delay. The seizure of the aforesaid CCTV footage and all other relevant material evidence, including but not limited to electronic records, call detail records, and any other digital evidence, shall be carried out by an officer not below the rank of Additional Superintendent of Police, so as to ensure the credibility and integrity of the seizure process. The CCTV footage so seized shall be preserved safely and in tamper-proof condition, and a detailed inventory thereof shall be maintained.

The Superintendent of Police, Prakasam District, is further directed to seize the mobile phones of all private Respondents and other persons whose conduct is relevant to the present investigation, including Respondent Nos.6, 7, 8, 10, 11, and 12,

the doctor who conducted the post-mortem examination of the deceased minor, and the English teacher of the school concerned, for the purpose of forensic examination of the call records, messages, and other digital communications that may be relevant to establishing the chain of events leading to the death of the deceased minor, and to uncover any evidence of collusion, conspiracy, or tampering with evidence.

In view of the serious and compelling allegations of bias, dereliction of duty, and collusive conduct levelled against the investigating officers, and in order to ensure that the investigation is conducted fairly, impartially, and without the taint of any influence or interest, the Superintendent of Police, Prakasam District, is directed to forthwith entrust the investigation in the present matter to an officer not below the rank of Additional Superintendent of Police. The newly entrusted Investigating Officer shall conduct a thorough and comprehensive review of the investigation hitherto conducted, with specific reference to the alleged lapses, irregularities, and acts of omission and commission on the part of Respondent Nos.6 and 7, and shall assess whether the investigation has been conducted in a faulty, negligent, or collusive manner. If, upon such review, any lapses or acts of

misconduct are found to have been committed by any police official, the Superintendent of Police is directed to initiate appropriate disciplinary proceedings against the erring officials, including Respondent Nos.6 and 7, without any further delay.

It is directed that no final report, closure report, charge sheet, or any other report or proceedings arising out of the investigation of the death of the deceased minor Syed Thoushik shall be filed before the learned Jurisdictional Magistrate without the express prior permission of this Court.

The Superintendent of Police, Prakasam District, is directed to personally appear before this Court on the next date of hearing, i.e., 07.04.2026, along with all relevant case records, and to place before this Court a detailed and comprehensive progress report of the investigation, which shall specifically address the steps taken by the investigating agency in furtherance of the investigation including the examination of witnesses, forensic reports, and the autopsy findings, the steps taken against the suspects, including Respondent Nos.11 and 12, based on the allegations made by Petitioner No.1, the reasons for non-registration of the FIR under the appropriate provisions of law notwithstanding the specific allegations of murder in the complaint dated 14.02.2026, the current status

and preservation of CCTV footage, and the steps initiated, if any, for disciplinary action against the erring police officials.

The Registry is directed to forthwith serve a certified copy of this order upon the Superintendent of Police, Prakasam District, through the learned Assistant Government Pleader, the learned Assistant Government Pleader on record, and all other Respondents through their respective Counsel. The learned Government Pleader shall ensure that the certified copy of this order is communicated to the Superintendent of Police, Prakasam District, forthwith and in any event no later than the next working day, so as to enable prompt compliance with the directions issued herein.

Post on 07.04.2026.

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Dr.YLR,J