

APHC010189292026



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

[3560]

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT PETITION NO: 9497/2026

Between:

1.SASUBILLI SANTHOSH, S/O SASUBILLI SRINIVASA RAO, AGED ABOUT 22 YEARS, R/O D.NO.21-10/2-258/3-4, AYODHYA NAGAR, MAIN ROAD, DAVU BUCHAIAH NAGAR, VIJAYAWADA, KRISHNA, ANDHRA PRADESH - 520011.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY THE PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH.-522238.

2.THE SUPERINTENDENT OF POLICE, VIJAYAWADA, N.T.R DISTRICT, ANDHRA PRADESH-520001.

3.THE DEPUTY SUPERINTENDENT OF POLICE, VIJAYAWADA WEST, N.T.R DISTRICT, ANDHRA PRADESH-520001.

4.THE CIRCLE INSPECTOR, AJITH SINGH NAGAR POLICE STATION, NTR DISTRICT, ANDHRA PRADESH-520001.

5.DURGA PRASAD, THE SUB-INSPECTOR, AJITH SINGH NAGAR POLICE STATION, NTR DISTRICT, ANDHRA PRADESH-520001.

...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 to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in summoning the Petitioner and his family members to the Police Station without issuance of notice and without any authority of law, and in threatening and coercing the Petitioner to delete the videos posted on social media, as per se illegal, high-handed, manifestly arbitrary and in violation to Article 14, 21 and 300-A of the Constitution of India and/or 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 to direct the Respondents from summoning the Petitioner or his family members except by following due process of law to the office of Respondents, pending disposal of the writ petition and/or to pass

Counsel for the Petitioner:

1.DONDAPPAGARI SAI SIDDI SRIKHAR

Counsel for the Respondent(S):

1.GP FOR HOME

The Court made the following:

THE HON'BLE SRI JUSTICE SUBHENDU SAMANTA

WRIT PETITION NO: 9497/2026

ORDER:

1. Instant writ petition is filed seeking a declaration that action of the respondent authority in summoning the petitioner and his family members to the police station without issuance of notice and without authority of law as illegal.
2. Learned counsel for the petitioner submits that, while the petitioner was proceeding to a medical shop to purchase medicine, the police apprehended him on the ground that he was not wearing a protective helmet. At that time, though the petitioner was ready to pay the fine amount for compounding the offence, the police authority detained him illegally. It is further alleged that the petitioner uploaded a video on Instagram, wherein some comments containing full of filthy language against the respondent authority appeared. The police then called the petitioner and his family members to delete the video. Again the police authority summoned the petitioner without serving proper notice, which is under challenge in this writ petition.
3. Learned Assistant Government Pleader for Home furnished written instructions contending *inter alia* that the petitioner has again uploaded video with similar content on social media platform. On the basis of those posts, the respondent police authority summoned the parents of the petitioner to the police station to inform the father of the petitioner

about the post in the social media. It has been stated that thereafter the police authority never called, summoned, or issued notice to the parents of the petitioner.

4. Having heard learned counsel for the parties and considering the written instructions of the respondent authority, it appears to me that the petitioner admittedly was not wearing a protective helmet at the relevant point of time while riding a two wheeler. Accordingly, a challan was issued against him. Instead of merely paying the challan, the petitioner uploaded videos on social media plat-form. It has been further alleged that on the next occasion also, the petitioner uploaded similar video in the social media platform. The said fact was objected to by learned counsel for the petitioner.
5. It appears, while the police officials were performing their public duty, the petitioner admittedly uploaded the video. The reasons for the police initiating alleged lathi charge are well known to the concerned officials. The comments in those videos, which was uploaded by the present petitioner though not under the direct control of the petitioner, but he did not deny his liability. The police officials were admittedly performing public duty of NAKA-CHECKING at the time, and the act of the petitioner of uploading such videos cannot be encouraged. It is noted that the police authority has not initiated any case against the petitioner but only cautioned his parents not to upload such videos.

6. In view of these facts, I find that no further order is required to be passed in this writ petition. It is, however, made clear that the police authority may summon any person, including the petitioner, only after lodging an appropriate crime case, in accordance with law.
7. Accordingly, the writ petition is disposed of. No costs.
8. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dt.04.05.2026
BV

JUSTICE SUBHENDU SAMANTA