



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

[3573]

FRIDAY, THE FIFTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 12078/2026

Between:

1. ARDHALA NAGA MALLESWARI, W/O. VENKATA SIVARAO, AGED ABOUT 48 YEARS, R/O. D.NO. 17-73, DAMARLAVARI STREET, KONDAPALLI, N.T.R DISTRICT, ANDHRA PRADESH - 521228.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY HOME DEPARTMENT, SECRETARIAT, AMARAVATI, ANDHRA PRADESH.

2. THE STATION HOUSE OFFICER, MANGALAGIRI POLICE STATION, GUNTUR DISTRICT, ANDHRA PRADESH.

3. MADDISANI BRAHMMIAH, WRITER, MANGALAGIRI POLICE STATION, ANDHRA PRADESH.

...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 particularly, one in the nature of writ of Mandamus declaring the action of Respondent Nos. 3 repeatedly calling the petitioner to the police station without registration of any case or issuance of notice and making her sit there for prolonged hours as illegal, arbitrary, and violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondent no.2 police authorities not to call the petitioner

unnecessarily to the police station without following due procedure established by the law and pass

IA NO: 1 OF 2026

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

Counsel for the Petitioner:

1.KUNUKU RAJA SEKHAR

Counsel for the Respondent(S):

1.GP FOR HOME

The Court made the following:

ORDER

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeing the following relief:

“...to issue a Writ Order or direction particularly, one in the nature of writ of Mandamus declaring the action of Respondent No. 3 repeatedly calling the petitioner to the police station without registration of any case or issuance of notice and making her sit there for prolonged hours as illegal, arbitrary, and violative of Articles 14,19 and 21 of the Constitution of India and consequently direct the respondent no.2 police authorities not to call the petitioner unnecessarily to the police station without following due procedure established by the law and pass such other order...”

2. The case of the writ petitioner, in brief, is that the petitioner is a housewife attending to her household and family responsibilities and that the actions of the respondents are causing mental agony and hardship to her. It is submitted that, owing to matrimonial disputes with her husband, the petitioner lodged a complaint before Ibrahimpatnam Police Station, which was registered as Crime No.132/2026 under Section 85 of the BNS. It is further submitted that the petitioner's husband, by exerting political influence, is pressurizing the local police authorities and, under such influence, Respondent No.3 has been repeatedly calling the petitioner to the police station and coercing her to withdraw Crime No.132/2026 registered against her husband and his relatives. It is submitted that, taking undue advantage of the matrimonial disputes, Respondent No.3 has been harassing and threatening the petitioner and her family members by unlawfully calling them to the police station and threatening false criminal implication without following due process of law. It is further submitted that Respondent No.3 is orally calling the petitioner to the police station without adhering to the procedure prescribed under law and is coercing her to withdraw the said crime. It is submitted that the petitioner has to attend to her household responsibilities and take care of her two daughters and that, due to the repeated unlawful calls from the police authorities, she is unable to discharge her responsibilities properly and is subjected to hardship and unwarranted interference with her

personal liberty. It is submitted that the petitioner is unable to withstand the high-handed actions of Respondent No.3 and apprehends danger to her life and personal liberty on account of the threats extended by the police authorities.

3. Heard learned counsel appearing on behalf of the Petitioner and learned Assistant Government Pleader for Home, representing Respondent Nos.1 and 2.

4. During the course of hearing, learned Assistant Government Pleader for Home, on written instructions dated 07.05.2026, submitted that, during the course of investigation, Crime No.87 of 2026 was registered on 25.04.2026 for the offences punishable under Sections 329(4), 79, 351(2), 115(1) r/w. 3(5) of the BNS at Mangalagiri Town Police Station. It is further submitted that the petitioner was contacted over phone by one Brahmaiah, Head Constable of Mangalagiri Town Police Station, only for the purpose of securing the appearance of the accused. However, the petitioner neither appeared before the Investigating Officer nor responded to the repeated phone calls made by the said Head Constable, thereby avoiding the investigation.

5. Recording the same, the Writ Petition is disposed of, with a liberty to the petitioner to approach the competent jurisdictional Magistrate for appropriate relief. The petitioner shall cooperate with the investigation in connection with the above said crime. However, the respondent police are directed to scrupulously follow the due process of law while securing the presence of the petitioner, by obtaining permission from the competent authority, if necessary. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall also stand closed.

JUSTICE BALAJI MEDAMALLI

Date: 15.05.2026
SR

HON'BLE SRI JUSTICE BALAJI MEDAMALLI

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SR