



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

[3558]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 10219/2026

Between:

1.DUPPADA ADILAKSHMI, W/O. D. YEDUKONDALU, AGED 50
YEARS, R/O RAMADASUPETA, RAJAMAHENDRAVARAM - NORTH
EAST GODAVARI DISTRICT

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY HOME
DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT-522238.

2.THE DIRECTOR GENERAL OF POLICE, GOVERNMENT OF A.P,
MANGALAGIRI, GUNTUR DISTRICT-522503.

3.THE COMMISSIONER OF PROHIBITION AND EXCISE,
GOVERNMENT OF ANDHRA PRADESH POULTRY FARM ROAD,
PRASADAMPADU (V), VIJAYAWADA, ANDHRA PRADESH, 521108.

4.THE STATION HOUSE OFFICER, RAJAMAHENDRAVARAM -
NORTH, PROHIBITION AND EXCISE POLICE STATION, NEAR
PUSHKAR GHAT, RAJAHMUNDRY, EAST GODAVARI DISTRICT,
A.P- 533101.

5.SMT PULI ANU SHREE, EXCISE INSPECTOR, PROHIBITION AND
EXCISE POLICE STATION, NEAR PUSHKAR GHAT,
RAJAHMUNDRY, EAST GODAVARI DISTRICT, A.P- 533101

...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 Habeas Corpus, calling for the protection of Son, Daughter and husband of petitioner namely Sri. Duppada Durga Prasad, Mrs. Duppada Divya Durga and Sri Duppada Yedukondalu, to be produced before this Honble Court and punish the respondents 4 and 5, for illegally detaining above detenues, by imposing heavy costs for violating the Constitutional rights, in the interest of Justice 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.G V SHIVAJI

Counsel for the Respondent(S):

1.THE ADVOCATE GENERAL

The Court made the following:**ORDER:** *(Per Hon'ble Sri Justice Cheekati Manavendranath Roy)*

This writ petition for Habeas Corpus, under Article 226 of Constitution of India, is filed, seeking direction to the official respondents herein to produce the persons, namely, Duppada Durga Prasad, Duppada Divya Durga and Duppada Yedukondalu, alleged to have been illegally detained by the 5th respondent-Excise Inspector of Prohibition and Excise Police Station, before the Court and then to set them at liberty.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader attached to the office of learned Advocate General appearing for the respondents.

3. Learned counsel for the petitioner submits that the 5th respondent, who is the Excise Inspector of Prohibition and Excise Police Station, Rajahmundry, has illegally detained the aforesaid three persons, namely, Duppada Durga Prasad, Duppada Divya Durga and Duppada Yedukondalu, who are the son, daughter and husband of the petitioner. Therefore, she sought direction to the respondents-Police Officials to produce them before the Court and to set them at liberty.

4. Learned Assistant Government Pleader, on instructions, submits that a case in crime No.45 of 2026 of Rajamahendravaram North Prohibition and Excise Police Station, for the offences punishable under Section 7-B read with 8-B of Andhra Pradesh Prohibition Act, 1995, was registered against Duppada Durga Prasad and a separate case was registered against Duppada Divya Durga in crime No.44 of 2026 of Rajamahendravaram North Prohibition and Excise Police Station, for the offences punishable under Section 7-B read with 8-B of Andhra Pradesh Prohibition Act, 1995, and that both of them were arrested in connection with the above two crimes on 16.04.2026 and on 15.04.2026, respectively and thereafter, they were produced before the concerned Magistrate and they are remanded to judicial custody. Therefore, it

is denied by him that they were illegally detained and confined by the 5th respondent, as alleged by the petitioner. He would further submit, on instructions that the 5th respondent did not arrest or illegally confine the other person by name Duppada Yedukondalu and the allegation made to that effect is absolutely false.

5. In reply, learned counsel for the petitioner submits that aforesaid two persons were arrested after the writ petition was filed.

6. As can be seen from the writ petition, it was filed on 16.04.2026. As per the submissions made by learned Assistant Government Pleader, they were arrested on 15.04.2026 and 16.04.2026, respectively. Therefore, it cannot be said that they were arrested after filing of the writ petition.

7. As the aforesaid two persons were arrested in connection with the two crimes registered against them, separately, this writ petition for Habeas Corpus is not maintainable against them. As the other person is not at all confined or detained illegally, the writ petition against him is also not maintainable.

8. Therefore, recording the aforesaid submissions made by learned counsel for the petitioner and learned Assistant Government Pleader, the Writ Petition is closed. However, the persons who were arrested and the petitioner are at liberty to move for bail in the concerned Court. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE TUHIN KUMAR GEDELA

Date: 22.04.2026
MDP