



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



TUESDAY, THE 4th DAY OF AUGUST, 2026

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND
THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

WRIT PETITION NO: 11149 OF 2026

Between:

Maredu Suvarchala, W/o Kundu Swaraj, R/o D.no.4-119, Rajula Bazar,
Ramavarapadu, Vijayawada Currently residing at 21688 Violent periwinkle
DR, Land of Lakes, Florida, 34637, USA Represented by her G.P.A Holder
Mareedu Venkateswar Rao S/o Mareedu Nagabhushanam Age-64 Years
R/o 3-121, opposite High School, Rajula Bazar, Vijayawada (rural) Krishna,
AP

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Department of Home, Secretariat Buildings, Velagapudi, Tullur
Mandal, Guntur District, Andhra Pradesh. 522237
2. The Superintendent of Police, NTR Commissionerate, NTR District.
520001
3. The Sub-Divisional Police Officer, NTR District. 520001
4. The Station House Officer, Mahila UPS, Vijayawada, NTR
District. 520001
5. Swaraj Kundu, S/o Pradip Kumar Kundu, Age-38 years, Occ-
Unemployed, R/o Teleco Colony, T2/22 Alok Vihar PS Govindpur,
Jamshedpur, East Singhbhum, Jharkhand. 831001

Respondents

Petition under Article 226 of the Constitution of India, is filed 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 in the nature of writ of Habeas Corpus directing the Respondent Nos.1 to 4, to produce one Kundu Adhya, before this Hon'ble Court and enable the petitioner to take responsibility of Kundu Adhya;

The petition, coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High Court dated: 14.07.2026 & 21.07.2026 made herein and upon hearing the arguments of M/s. AMARAVATI LAW CHAMBERS, Advocate for the Petitioner and THE ADVOCATE GENERAL, for the Respondent Nos. 1 to 4 and of Ms. N. SASIKALA, Advocate for the Respondent No.5, and the Court made the following;

ORDER:

Heard Sri P.T. Reddy and Sri K.B.S. Mani Kumar, learned counsel representing M/s Amaravati Law Chambers, learned counsel for the petitioner, Sri I. Krishna Praneeth, learned Assistant Government Pleader attached to the Office of the learned Advocate General, appearing for respondent Nos.1 to 4 and Ms. N. Sasikala, learned counsel appearing for the 5th respondent.

2. This Writ Petition has been filed by the mother of minor child, aged about four years, who is presently in the custody of 5th respondent-father. The petition is for writ of habeas corpus, raising various apprehensions regarding the well-being of the minor child.

3. Notice was issued to 5th respondent by order dated 24.04.2026. On the next date of hearing, i.e., 08.05.2026, as per the office report, the notice was returned unserved with the endorsement "Addressee absent". Therefore, fresh notice was ordered to be issued to 5th respondent, returnable by 29.06.2026.

4. On 14.07.2026, Sri Sudheer Ramineni, learned counsel, appeared through virtual mode and submitted that he had received

instructions to appear on behalf of the 5th respondent and would file vakalat by the next date, i.e., 15.07.2026. The matter was directed to be listed on 21.07.2026. It was further provided that the petitioner and the 5th respondent shall appear before this Court on the date fixed and the 5th respondent shall also produce the minor child before this Court.

5. On 21.07.2026, Ms. N. Sasikala, learned counsel appearing for 5th respondent, submitted that, owing to her illness and hospitalization, the order dated 14.07.2026 could not be communicated to the 5th respondent and, consequently, the 5th respondent could not appear before this Court. She sought one week's time to comply with the order dated 14.07.2026. This Court provided that, on the next date of hearing, the parties shall appear before this Court along with their counsels, so also with minor child before this Court.

6. On 28.07.2026, the petitioner was present along with her learned counsel.

7. Learned counsel appearing for the 5th respondent submitted that the 5th respondent could not appear before this Court due to certain threats/perceptions and sought time to file an appropriate application in that regard. Time was granted to file the application along with an affidavit. The matter was fixed for today i.e., 04.08.2026.

8. Today, Ms. N. Sasikala, learned counsel appearing for the 5th respondent, submits that an application, along with an affidavit, has been filed today before the Registry vide U.S.R.No.86294 of 2026 and that the same is under scrutiny.

9. In the morning session, the matter was called and passed over. Thereafter, the matter is taken up again in the post-lunch session. The application is not placed on record, as certain objections have been raised by the Registry and so application not being in order.

10. The 5th respondent has not appeared before this Court. The minor child has also not been produced.

11. Though the application is not yet on record, but considering the submissions advanced by Ms. N. Sasikala, learned counsel appearing for the 5th respondent, about apprehensions of some threat, without observing anything on such threat perception on merits of such apprehension, to ensure compliance with the Court's order dated 14.07.2026 & 21.07.2026 for the production of the 5th respondent along with the minor child before this Court, as the petitioner's counsel has also expressed concerns about the well being of the child, we deem it appropriate to issue the following interim directions:

i) The Commissioner of Police, Vijayawada City, NTR District, shall ensure production of the 5th respondent and the minor child before this Court on 10.08.2026, under the protection to the 5th respondent, to ensure his safe production along with the minor child before this Court.

ii) As the respondent No.5 is at State of Jharkhand (i.e. another State) the Director General of Police of Andhra Pradesh shall look into this matter, and shall take necessary steps, to ensure compliance with this order, and if so required by making requisite correspondence with the officers/officials of Police Department in the State of Jharkhand.

iii) The Director General of Police, Andhra Pradesh shall also assess the threat perceptions, and if those appear to be real and of grave nature involving high risk to the respondent No.5 and the child, for production before this Court on the date fixed, a report shall be submitted to this court.

iv) In such a case (as in para (iii) supra), the appearance of the 5th respondent and the child shall be ensured through video conference.

v) The direction in para i supra shall be subject to the direction in (iii) & (iv).

12. List on 10.08.2026.

Sd/- K. Kasirao Achari
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Home, The State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Tullur Mandal, Guntur District, Andhra Pradesh. 522237 (by SPECIAL MESSENGER)
2. The Director General of Police, A.P.
3. The Commissioner of Police, Vijayawada City, NTR District.
4. The Superintendent of Police, NTR Commissionerate, NTR District. 520001
5. The Sub-Divisional Police Officer, NTR District. 520001
6. The Station House Officer, Mahila UPS, Vijayawada, NTR District. 520001
7. Swaraj Kundu, S/o Pradip Kumar Kundu, Age-38 years, Occ-Unemployed, R/o Teleco Colony, T2/22 Alok vihar PS Govindpur, Jamshedpur, East Singhbhum, Jharkhand. 831001 (Addressee Nos.2 to 5 BY RPAD)
8. One CC to M/s.AMARAVATI LAW CHAMBERS, Advocate [OPUC]
9. One CC to Ms. N. SASIKALA, Advocate [OPUC]
10. One CC to THE ADVOCATE GENERAL, High Court of Andhra Pradesh [OPUC]
11. Two Spare Copies

JSS

HIGH COURT

RNT, J
&
PKC, J

DATED:04.08.2026

LIST ON 10.08.2026.

ORDER

WP.No.11149 of 2026

DIRECTION

