

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HONOURABLE SRI JUSTICE BATTU DEVANAND**



WRIT PETITION NO: 24785 OF 2016

Between:

Golla Jaipal Yadav, S/o Late G.Venkanna Aged 34 years Occ:
Business, resident of Chippagiri village, Kurnool district.

Petitioner

AND

1. The State of Andhra Pradesh, represented by its Principal Secretary (Home), Secretariat Hyderabad .
2. The Superintendent of Police, Kurnool, Kurnool District.
3. The Station House Officer, Central Crime Station, Kurnool, Kurnool District.
4. Devaraj, S./o not known Age: not known Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
5. Raghu, S./o not known Age: not known Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
6. Murali, S./o not known Age: not known Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
7. Ramudu, S./o not known Age: not known Occ: Driver, Central Crime Station, Kurnool, Kurnool District.
8. Krishna Mohan, S/o not known, Age: Not known, Occ: Home Guard, O/o Deputy Superintendent of Police, Kurnool

9. Krishnayya, S/o. not known, Age: not known, Occ: Circle Inspector, Central Crime Station (CCS), Kurnool.

10. Talari Sreenivasulu, S/o not known, Age: not known, Occ: Sub-Inspector of Police, Central Crime Station.

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 issued the writ or Order more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in detaining the petitioner in their custody without any cause or without registering any Crime against the petitioner and not responding to the complaint given on 12.07.2016 to the 2nd respondent and also threatening the petitioner with dire consequences, as illegal, arbitrary and also violation of 14 and 21 of the Constitution of India and consequently direct the respondents not to call the petitioner to the Police Station and further direct the 2nd respondent to consider the case of the petitioner and initiate necessary action against the officials involved in the illegal detention of the petitioner herein.

IA NO: 1 OF 2016(W.P.M.P.No.30602/2016):

Petition under Section 151 CPC., is filed 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 not to call the petitioner to the Police Station, Chippagiri village and Mandal, Kurnool District everyday and harass the petitioner.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. V RAGHUNATH, Advocate for the Petitioner and of GP FOR HOME (TG), for the Respondents;

The Court made the following ORDER:

The case of the petitioner is that the 3rd respondent i.e., the Station House Officer, Central Crime Police Station, Kurnool, Kurnool District detained him in his custody without registering any crime against him and not responding to the complaint given on 12.07.2016 to the 2nd respondent and also threatening the petitioner with dire consequences.

In the counter affidavit filed by the Superintendent of Police, Kurnool, Kurnool District i.e., the 2nd respondent herein, it is stated that basing on the complaint made by the petitioner, a case in Crime No.167 of 2016 has been registered on 20.07.2016 under Section 323 r/w.34 of IPC on the file of the Kurnool II Town Police Station, Kurnool District against the police and others and it is pending for investigation.

Today, during the course of hearing, learned Assistant Government Pleader appearing for Respondent Nos.1 to 3 on written instructions would submit that after completion of the investigation it is found that the allegations made by the petitioner are false and accordingly the case was referred as "false" on the proceedings of the Sub Divisional Police Officer, Kurnool vide C.No.308 of 2018, dated 15.07.2018.

Learned counsel for the petitioner would submit that there is no truth in the submission of Respondent Nos.1 to 3 that they never detained the petitioner and beat the petitioner to admit the guilt. Due to the action of the police personnel who are impleaded as Respondent Nos.4 to 10 in their personal capacity, the petitioner admitted in the Government Hospital, Guntakal, Anantapur on 28.06.2016 and he is suffering till today due to the injuries sustained on the day of detention of the petitioner by the police personnel.

There is no material placed on record by Respondent Nos.2 and 3 to satisfy the Court whether the case registered basing on the complaint made by the petitioner is closed by the competent jurisdictional Magistrate by following the procedure or not.

Considering the facts and circumstances of the case, this Court has to look into the procedure being followed by the police in referring the case in Crime No. 167 of 2016 on the file of the II Town Police Station, Kurnool, Kurnool District which was registered basing on the complaint of the petitioner about his detention "as false" for proper adjudication of the issue involved in this Writ Petition.

Accordingly, Respondent Nos.2 and 3 are directed to produce the original records pertaining to Crime No.167 of 2016 on the file of the II Town Police Station, Kurnool, Kurnool District and also original file pertaining to the proceedings issued by the Sub-Divisional Police Officer, Kurnool vide C.No.308 of 2018, dated 15.07.2018 before this Court on the next date of hearing.

Post on 10.10.2025.

//TRUE COPY//

SD/- U. SRIDEVI
ASSISTANT REGISTRAR
11 St
SECTION OFFICER

To,

1. The Station House Officer, II Town Police Station, Kurnool, Kurnool District. (SPEED POST)
2. The Principal Secretary (Home), The State of Andhra Pradesh, Secretariat, Hyderabad. (BY RPAD)
3. The Superintendent of Police, Kurnool, Kurnool District. (SPEED POST)
4. The Station House Officer, Central Crime Station, Kurnool, Kurnool District. (SPEED POST)
5. Devaraj, Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
6. Raghu, Occ: Constable, Central Crime Station, Kurnool, Kurnool District.

7. Murali, Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
8. Ramudu, Occ: Driver, Central Crime Station, Kurnool, Kurnool District.
9. Krishna Mohan, Occ: Home Guard, O/o Deputy Superintendent of Police, Kurnool
10. Krishnayya, Occ: Circle Inspector, Central Crime Station (CCS), Kurnool.
11. Talari Sreenivasulu, Occ: Sub-Inspector of Police, Central Crime Station. (Addressee Nos. 5 to 11 BY RPAD)
12. One CC to Sri. V RAGHUNATH, Advocate [OPUC]
13. Two CCs to GP FOR HOME (AP), High Court Of Andhra Pradesh. [OUT]
14. One spare copy

JSS

HIGH COURT

DEV, J

DATED:26/09/2025

POST ON 10.10.2025.

ORDER

WP.No.24785 of 2016

DIRECTION

