

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

**FRIDAY, THE SEVENTEENTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

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 issue 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 the earlier order of the High Court dated. 26.09.2025 & 10.10.2025 made herein and upon hearing the arguments of Sri. V.Raghunath, Advocate for the Petitioner and of GP FOR HOME (TG), for Respondents 1 to 3.

The Court made the following ORDER:

In compliance of the order of this Court, dated 10.10.2025, Mr Vikrant Patil(I.P.S), Superintendent of Police, Kurnool District and Mr P.Rama Krishna, Inspector of Police, Central Crime Station, Kurnool District appeared before this Court.

On questioning the Officers present before this Court, they replied that subsequent to the proceedings of the Sub-Divisional Officer,

Kurnool vide C.No.308/SDPO-K/2018, dated 15.07.2018, the final report in Crime No.167 of 2016 on the file of II Town Police Station was not filed before the concerned Judicial Magistrate having the jurisdiction. Only on 14.10.2025, they filed report before the Hon'ble Special Judicial Magistrate of 1st Class, Prohibition and Excise, Kurnool. They further submits that before filing final report before the Court, they have served notices to the petitioner informing him about referring the case 'as false', so as to enable him to file protest petition.

At this stage, Mr V.Raghunath, learned counsel for the petitioner contends that a copy of the final report was not served on the petitioner till now to enable him to file the protest petition. He further submits that without knowing the contents in the final report, it is not possible to the petitioner to file protest petition before the concerned Magistrate.

This Court finds substance in the contention of the learned counsel for the petitioner.

At this stage, the officers present before this Court through their learned Government Pleader for Home submits that they are ready to furnish a copy of the final report to the petitioner.

Recording the submissions of the officers present before this Court, so as to enable the petitioner to make his submissions on the contents of the final report, and also to consider the issue of abnormal delay in filing the final report before the concerned Judicial Magistrate after taking decision to refer the case 'as false' and to pass appropriate orders, post on 24.10.2025.

The appearance of the officers present before this Court is dispensed with at present.

//TRUE COPY//

Sd/-B.CHITTI JOSEPH
DEPUTY REGISTRAR

Sd/-B.Chitti Joseph
23/10
SECTION OFFICER

To,

1. The Station House Officer, II Town Police Station, Kurnool, Kurnool District.
2. The Principal Secretary (Home), The State of Andhra Pradesh, Secretariat, Hyderabad.
3. The Superintendent of Police, Kurnool, Kurnool District.
4. The Station House Officer, Central Crime Station, Kurnool, Kurnool District.
5. Devaraj, Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
6. Raghu, Occ: Constable, Central Crime Station, Kurnool, Kurnool District.
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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.
12. Mr. P.Rama Krishna, Inspector of Police, Central Crime Station, Kurnool District (Addressee Nos. 1 to 12 BY **RPAD**)
13. One CC to Sri. V RAGHUNATH, Advocate [OPUC]
14. Two CCs to GP FOR HOME (AP), High Court Of Andhra Pradesh. [OUT]
15. One spare copy

HIGH COURT

DEV, J

DATED: 17.10.2025.

POST ON 24.10.2025

ORDER

WP.No.24785 of 2016

DIRECTION

