



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

[3541]

MONDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

I.A.Nos.1 & 2 of 2025

IN

WRIT PETITION NO: 25602/2024

Between:

Muthyala Ramanamma

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.Sudharsana Reddy J

Counsel for the Respondent(S):

1.THE ADVOCATE GENERAL

The Court made the following Order:

The present Writ Petition came to be filed for issuance of a Writ of *Habeas Corpus* by the mother of the detainee.

2. The case of the petitioner was that his son had been taken away by the police authorities and that a Writ of Habeas Corpus requires to be issued for production of his son before the Court.

3. Learned Government Pleader thereupon informed this Court, that the detainee had been produced before the XIII Additional Metropolitan

Magistrate, Anakapalli, in relation to Crime No.291 of 2024 on the file of Anakapalli Police Station, Anakapalli District and had been remanded to the judicial custody by an Order dated 14.11.2024.

4. The petitioner has now moved I.A.Nos.1 & 2 of 2025 for amending the prayer and other related prayers in the Writ Petition so as to seek a declaration that the remand order passed by the XIII Additional Metropolitan Magistrate, Anakapalli, on 14.11.2024, was illegal, contrary to procedure established by law, without application of mind and apart from being violative of the Article-22 of Constitution of India.

5. The 5th respondent filed a counter-affidavit stating that the detenue had already been released on bail and, consequently, a challenge to the remand order could not have been raised. The 5th respondent also contended that the Application for amendment of the prayer has been filed nearly 6 months after filing of the Writ Petition and after the petitioner was aware of the fact that a remand order has been passed.

6. The learned Government Pleader would contend that this inordinate delay is sufficient to reject any application for amendment of the prayer.

7. In normal circumstances, we would have accepted the contention of the learned Government Pleader. However, in cases where human liberty is involved, it is always better lean on the side of the petitioner by taking a liberal view.

8. In the circumstances, we deem it appropriate to allow the application and permit amendment of the prayer of the Writ Petition.

9. The petitioner has filed two applications. As the prayer on both the applications are one and the same and I.A.No.1 of 2025 is being closed and I.A.No.2 of 2025 is allowed and permit amendment of the prayer of the Writ Petition.

9. Registry to carry out necessary amendments.

W.P.No.25602 of 2024

10. Post on 18.08.2025.

R. RAGHUNANDAN RAO, J

SUMATHI JAGADAM, J

Date: 28.07.2025
BSM