



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

[3366]

**TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

HON'BLE DR.JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 33662/2025

Between:

1.DAMARLA VENKATA SATISH, S/O. SIVA SANKARA RAO, AGED 38 YEARS, R/O.11-284/P4, DIMPUDU KALLAM ROAD, BHADRAVATHI NAGAR, OLD MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY (HOME DEPARTMENT), SECRETARIAT BUILDINGS AT VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.

2.THE DIRECTOR GENERAL OF POLICE, POLICE HEAD QUARTERS AT MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH.

3.THE SUPERINTENDENT OF POLICE, GUNTUR DISTRICT, ANDHRA PRADESH.

4.THE STATION HOUSE OFFICER, MANGALAGIRI TOWN POLICE STATION, GUNTUR DISTRICT, ANDHRA PRADESH.

5.GADDAM CHANDRA SHEKAR, S/O. BHASKARA RAO, AGED 29 YEARS, R/O. INDIRANAGAR, MANGALAGIRI TOWN, GUNTUR DISTRICT, ANDHRA PRADESH.

6.DAMARLA PRAVEEN VEERA SWAMY, S/O. NAGENDRAM, AGED 39 YEARS, R/O. NCC ROAD, MANGALAGIRI TOWN, GUNTUR DISTRICT, ANDHRA PRADESH.

7.GOLI VENKATA PUMA CHANDRA RAO, S/O. KOTESWARA RAO, AGED 35 YEARS, R/O. BALAJI NAGAR, MANGALAGIRI TOWN, GUNTUR DISTRICT, ANDHRA PRADESH..

...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 or Order or Direction more particularly one in the nature of Writ of Mandamus declaring action of the respondents more particularly the respondent No. 4 in calling the petitioner to the police station without there being any cause and also compelling the petitioner to

settle the alleged civil disputes in between the respondent 5 to 7 herein as well as in interfering with the life and liberty of the petitioner as illegal, arbitrary and also opposed to Article 21 of the Constitution of India as well as abuse of power of police consequentially direct Respondent No.4 their agents, and subordinates to cease and desist from interfering in the civil disputes of the Petitioner with Respondent Nos. 5 to 7 and from compelling the Petitioner to act upon the alleged agreement and also not to interfere with the personal life and liberty of the petitioner by calling to the police station without there being any cause and pass

Counsel for the Petitioner:

1. CHETAN PONNURU

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

ORDER:

This Writ Petition under Article 226 of the Constitution of India, has been filed, by the Petitioner for the following relief:

" ... to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring action of the respondents more particularly the respondent No.4 in calling the petitioner to the police station without there being any cause and also compelling the petitioner to settle the alleged civil disputes in between the respondents 5 to 7 herein as well as in interfering with the life and liberty of the petitioner as illegal, arbitrary and also opposed to Article 21 of the Constitution of India as well as abuse of power of police consequentially direct Respondent No.4 their agents, and subordinates to cease and desist from interfering in the civil disputes of the Petitioner with Respondent Nos.5 to 7 and from compelling the Petitioner to act upon the alleged agreement and also not to interfere with the personal life and liberty of the petitioner by calling to the police station without there being any cause and pass ..."

Heard learned counsel for the Petitioner and Learned Assistant Government Pleader for Home representing for respondent State. Perused the material on record.

Learned Assistant Government Pleader on instructions would submit that a case has been registered against the Petitioner today morning at 8.30 a.m.

Learned counsel for the Petitioner requested the Court that a direction may be given to respondent Police to follow the procedure under Section 35(3) of BNSS, 2023 and requested to dispose of the Writ Petition by passing appropriate orders.

Considering the submissions made, Police are directed to scrupulously follow the procedure prescribed under Section 35(3) of BNSS, which is *pari*

materia to Section 41-A of the Code of Criminal Procedure, and the guidelines laid down by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹.

Accordingly, this Writ Petition is disposed of. No order as to costs.

Pending applications, if any, shall stand closed.

DR.JUSTICE VENKATA JYOTHIRMAI PRATAPA

*Mjl/**
CC by today

¹ (2014) 8 SCC 273

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Writ Petition No. 33662 of 2025

02.12.2025

*Mjl /**