

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE No.W.P.No.8490 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
2.	17.04.2026	<p><u>RNT,J & BM,J</u></p> <p>Heard Sri J.Ravi Kumar, learned counsel for the petitioner and Sri J.Krishna Praneeth, learned Assistant Government Pleader appearing for the respondent Nos.1 to 4.</p> <p>2. This petition has been filed for writ of Habeas Corpus, to produce the alleged detenu, 'the father of the petitioner' said to be illegally detained by the 5th respondent, 'wife of the petitioner' with the help of the 4th respondent-the Station House Officer, Satyanarayanapuram Police Station.</p> <p>3. On 01.04.2026, the following order was passed by a coordinate Bench:</p> <p style="padding-left: 40px;"><i>“Learned Assistant Government Pleader attached to the office of the learned Advocate General takes notice for the official respondent Nos.1 to 4 and requests time to seek instructions.</i></p> <p style="padding-left: 40px;"><i>Issue notice to respondent No.5, returnable in two weeks.</i></p> <p style="padding-left: 40px;"><i>Learned counsel for the petitioner is permitted to take out personal notice on respondent No.5 by registered post with acknowledgement due and file proof of service into the Registry.</i></p> <p style="padding-left: 40px;"><i>The 4th respondent-Station House Officer, Satyanarayanapuram Police Station, is directed to produce the corpus by name Chavali Venkata Subbarao, who is alleged to have been detained illegally in the custody of respondent No.5, before the Court on the next date of hearing.</i></p> <p style="padding-left: 40px;"><i>List the matter on 15.04.2026.”</i></p>	

4. On the date fixed, the matter could not be listed in the cause list for the reasons beyond listing. However, the detenu was brought by the 4th respondent and was produced before the Registrar (Judicial) of this Court. The matter was then listed for today.

5. Pursuant to the aforesaid order, the alleged detenu has been produced before the Court today by the 4th respondent.

6. The petitioner is present in-person. The 5th respondent is present. Their respective learned counsels are present. Their both the daughters are also present.

7. The present case presents a very peculiar situation for an old aged father (the alleged detenu). From the submission advanced by learned counsel for the petitioner, some matrimonial disputes are pending between the petitioner and the 5th respondent. Initially, in spite of such matrimonial disputes, they all were living at a same house, the petitioner on the ground floor, along with the father and the 5th respondent with the daughters on the first floor. The petitioner is an employee in BSNL. The petitioner had installed CCTV cameras in the room of the petitioner's father since he is an old person under medical treatment and while on work in the place of working, he was watching the same. On 16.03.2026, it has been submitted also, as per para Nos.7 to 9 of the writ petition that the petitioner found from the visuals of the CCTV cameras that the detenu was missing. So, he rushed and lodged

a complaint, that the 5th respondent (wife of the petitioner; the daughter-in-law of the detenu), took away the detenu, who is now with the 5th respondent and their daughters.

8. Sri Chavali Venkata Subbarao, the alleged detenu has been produced on wheel chair. We put the basic questions regarding his name etc., and by the answer given by him, though due to his age there is some hearing and speaking problem, but, we are satisfied that he understands the questions and has given the correct reply. Then the following questions were put to the alleged detenu, to which he gave the answers in the regional language, which are as under:

1. మీరు ఇప్పుడు ఎవరితో ఉంటున్నారు అని ప్రశ్నించగా, నేను నా కోడలు, మనవరాళ్లతో ఉంటున్నాను ఎందుకు అంటే నా కొడుకు నన్ను కొట్టాడు అని సమాధానం చెప్పారు
2. మీరు ఇష్టపూర్వకంగా నే ఉంటున్నారా అని ప్రశ్నించగా, నేను నా ఇష్టపూర్వకంగానే ఉంటున్నాను గత ఐదు ఆరు నెలలుగా అని సమాధానం చెప్పారు.
3. మీరు ఇప్పుడు ఎవరితో కలిసి ఉండాలి అనుకుంటున్నారు అని ప్రశ్నించగా, నేను నా కోడలు, మనవరాళ్లతో కలిసి ఉంటాను అని సమాధానం ఇచ్చారు.

Translation:

1. When we asked about with whom he is staying, he informed that he is staying with his daughter-in-law and granddaughters because his son beat him.
2. When we enquired about whether he is staying on his own volition, he replied that he is living with them on his own volition for the past five six months.
3. He, on our enquiry, expressed that he wanted to live with his daughter-in-law and granddaughters.

9. At this stage, learned counsel for the petitioner submits that the detenu is coming from the custody of the 5th respondent, so the statement made by him is not voluntary but under the fear, influence and pressure of the 5th respondent.

10. Learned counsel for the petitioner further submits that the petitioner apprehends reasonably that, because of the matrimonial dispute, the respondent No.5 may, by taking advantage of the custody with the respondent No.5, get property etc., transferred in her/their name and may also cause some other disadvantages or loss to the petitioner.

11. On a specific query made to the learned counsel for the petitioner, as to how the petitioner is taking care of the father, if nobody is at home and the petitioner at work place, he submits that he is monitoring through CCTV cameras, while at work place.

12. Respondent No.5 submits that she and her daughters are taking due care of the detenu Chavali Venkata Subbarao. Presently they are residing in a hotel in rented room but, have a plan to shift to some other comfortable accommodation, and they would take good care of the detenu (father in law).

13. Hearing the answers given by the detenu, the learned counsel for the petitioner submits that, in case the detenu is to continue with respondent No.5, the petitioner (son) may be allowed to visit/see his father.

14. On consideration of the aforesaid submissions and the prevailing circumstances, we

are of the view that this Habeas Corpus petition deserves to be kept pending to be decided finally in due course of time.

15. *Prima facie*, at this stage, as the detenu has expressed his willingness in the Court, to remain with the daughter-in-law (the 5th respondent) herein and is presently not willing to go with the son (the petitioner), but at the same time also keeping in view the submissions and apprehensions expressed from the petitioner's side and also considering the physical condition of the detenu, we provide as an interim measure that:

(i) the alleged detenu Chavali Venkata Subbarao shall remain with the 5th respondent, until the further orders of this Court;

(ii) The 5th respondent and the granddaughters (of the detenu) shall take due care of the detenu in all respects of his health condition and the necessary requirements;

(iii) The detenu shall not be shifted outside the limits of Vijayawada City and the information of any such change/shifting from the present place to some other place within the Vijayawada city shall be duly informed to the 4th respondent, to the petitioner and to this Court. The present place where the detenu is, shall also be communicated.

(iv) The 4th respondent shall visit or cause to be visited by a police constable, along with one lady constable (in civil uniform), once in fifteen days during day time, duly authorized by respondent No.4 with authenticated letter and shall submit a

report to this Court, through Registrar (Judicial) of this Court regarding the due care of the alleged detenu for which those shall be allowed to interact with the detenu.

(v) The oral prayer of the petitioner, to meet his father, will be considered later on, but, it is provided for the present, that, the petitioner (son), shall be allowed to be in contact and interact with his father telephonically or/and video conferencing, on daily basis which shall be facilitated by respondent No.5.

(vi) Respondent No.5 shall file an undertaking on affidavit, in terms of clause (ii) to (v) (supra), within ten days from today, through Registrar (Judicial) of this Court and the same shall be placed on record.

16. List on 15.06.2026.

17. For further orders on the date(s) fixed, the detenu need not be produced, unless his presence is specifically ordered.

18. On the next date, the Court may consider to refer the parties also for mediation for an amicable settlement.

RNT,J

BM,J

Note: Issue C.C. 21.04.2026

B/o.
MDP