



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

[3521]

TUESDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 8074/2026

Between:

- 1.KUNCHALA PURNA CHANDRA RAO, S/O. VENKAIAH, AGED ABOUT 47 YEARS, OCC STONE MASON, R/O.DOOR NO.2-35, CHAGALLU (VILLAGE), ULAVAPADU MANDAL, PRAKASAM DISTRICT, A.P., PRESENTLY RESIDING AT 29-1440/1A, NEAR ABISHEK TOWERS, KAKATIYA NAGAR, NEREDMET, MALAKAJGIRI, HYDERABAD, TELANGANA.
- 2.KUNCHALA BABY RANI,, W/O.PURNACHANDRA RAO, AGED ABOUT 45 YEARS, OCC COOLIE, R/O.DOOR NO.2-35, CHAGALLU (VILLAGE), ULAVAPADU MANDAL, PRAKASAM DISTRICT, A.P., PRESENTLY RESIDING AT 29-1440/1A, NEAR ABISHEK TOWERS, KAKATIYA NAGAR, NEREDMET, MALAKAJGIRI, HYDERABAD, TELANGANA.
- 3.KUNCHALA GIRISH,, S/O. VENKAIAH, AGED ABOUT 36 YEARS, OCC STONE MASON, R/O.DOOR NO.2-35, CHAGALLU(VILLAGF), ULAVAPADU MANDAL, PRAKASAM DISTRICT, A.P., PRESENTLY RESIDING AT 29-1440/1A, NEAR ABISHEK TOWERS, KAKATIYA NAGAR, NEREDMET, MALAKAJGIRI, HYDERABAD, TELANGANA.

...PETITIONER(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT-522237.

2.THE SUPERINTENDENT OF POLICE, PRAKASAM DISTRICT AT ONGOLE-523002, ANDHRA PRADESH.

3.THE STATION HOUSE OFFICER, ULAVAPADU POLICE STATION, ONGOLE, PRAKASAM DISTRICT, ANDHRA PRADESH-523292.

...RESPONDENT(S):

Counsel for the Petitioner(S):

MUSUDI BABJI

Counsel for the Respondent(S):

GP FOR HOME

The Court made the following:

ORDER:

The Writ Petition has been filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue a Writ or order or direction in the nature of Writ of Mandamus declaring the highhanded action of the Respondent No 3 in harassing and threatening with dire consequences the petitioners to reveal the whereabouts the Kunchala Ramesh S/o Venkaiah who is the accused in S C No 179/2018 on the file of II Addl District and Sessions Judge for Trial of Offences against Women Ongole even though the petitioners says not known to them is as wholly illegal arbitrary and in violation of Art 14 19 1 g and 21 of the Constitution of India apart from against personal life and liberty of the petitioners consequently direct the 3rd respondent not harass the petitioners to reveal the whereabouts the Kunchala Ramesh S/o Venkaiah who is the accused in S C No 179/2018 on the file of II Addl District and Sessions Judge for Trial of Offences against Women Ongole and to pass....”

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader.

3. Mr. Musudi Babji, learned counsel for the petitioners, submits that the petitioners have been frequently called to the police station and are being

harassed to disclose the whereabouts of the accused, namely Kunchala Ramesh, in S.C. No. 179 of 2018 on the file of the learned II Additional District and Sessions Judge for Trial of Offences against Women, Ongole.

4. Sri P. Ajay Babu, learned Assistant Government Pleader, on written instructions, submits that the learned II Additional District and Sessions Judge for Trial of Offences against Women, Ongole, had issued a Non-Bailable Warrant (NBW) against the accused, namely Kunchala Ramesh, who is involved in the commission of an offence punishable under Section 302 of the Indian Penal Code, 1860 (for brevity, 'the IPC'). The police, for the purpose of executing the NBW, visited the house of the petitioners, as they are relatives of the accused. It is further submitted that the police have neither harassed nor threatened the petitioners and that they were called to the police station only once for the purpose of executing the NBW.

5. When a Non-Bailable Warrant (NBW) is issued by a competent Court for the arrest of an accused, the police are duly empowered to execute the same. In the course of such execution, they may, if required, visit any residence, inspect premises, and seek information from individuals. However, under the pretext of executing the NBW, the police shall not subject any person to harassment, intimidation, or threats of dire consequences.

6. However, every citizen is under a legal obligation to extend reasonable assistance to a police officer in the execution of a Non-Bailable Warrant. Where the police seek information regarding the whereabouts of an accused,

it is incumbent upon the concerned person to cooperate and furnish such information, if within their knowledge. At the same time, where a person has no knowledge of the whereabouts of the accused and is nevertheless subjected to undue harassment or coercive measures by the police, such person is left with no efficacious remedy except to invoke the jurisdiction of the Constitutional Courts for protection of his or her life and personal liberty. It is, therefore, incumbent upon the police authorities to maintain a judicious balance between the faithful execution of judicial orders and the preservation of the fundamental and human rights of the citizens.

7. Considering the entire facts and circumstances of the case, and recording the submissions of the learned Assistant Government Pleader, the Writ Petition is disposed of directing the Respondent No.3 not to harass or threaten the petitioners with dire consequences and not to coerce them to disclose the whereabouts of the accused against whom the NBW has been issued.

8. With the above observations and directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 31.03.2026
Note: Issue C.C. by 02.04.2026
B/o
RSI

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