



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

[3521]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 10185/2026

Between:

1.KATA KOTI REDDY, S/O. VENKATESWARA REDDY, AGED 68
YEARS, OCC CULTIVATION, R/O.2-11, MAIN ROAD,
N.AGRAHARAM, PRAKASAM DISTRICT 523272

...PETITIONER

AND

1.THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, HOME
DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR 522237

2.SUPERINTENDENT OF POLICE, ONGOLE, PRAKASAM DISTRICT
523001

3.SUB DIVISIONAL POLICE OFFICER, ONGOLE, PRAKASAM
DISTRICT 523001

4.STATION HOUSE OFFICER, TALUQ POLICE STATION, ONGO ,
PRAKASAM DISTRICT.

5.M HARISH REDDY, S/O. LATE VENKA REDDY AGED 31 YEARS,
OCC PRIVATE JOB R/ O. NARSAPURA AGRAHARAM, ONGOLE
MANDAL, PRAKASAM DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.SRINIVASULU KURRA

Counsel for the Respondent(S):

1.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/Order/ Direction more particularly one in the Nature of Writ of Mandamus declaring the action of the respondent police in calling the petitioner to police station without there being any Crime against the petitioner so far as illegal arbitrary without jurisdiction besides violation of Art 14 and 21 of the Constitution of India and consequently direct the respondent police not to call the petitioner to the police station without there being any crime against the petitioner with a view to settle the civil dispute forthwith and to pass such order(s).”

2. Heard the learned Counsel for the Petitioner and the learned Assistant Government Pleader for Home.

3. Sri Srinivasulu Kurra, learned Counsel for the Petitioner, submits that the Petitioner has been unnecessarily called to the police station by the Respondent Police without registration of any crime and has been subjected to harassment by being frequently summoned.

4. Sri P. Ajay Babu, learned Assistant Government Pleader for Home, on written instructions, submits that one D. Sridhar, Assistant Executive Engineer, lodged a complaint against the Petitioner, which was registered as a case in Crime No.64 of 2026, and investigation has been taken up. It is submitted that, except calling the Petitioner to the police station for the purpose of investigation, the police have not acted in any manner contrary to the procedure contemplated under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, “the BNSS”).

5. The learned Counsel for the Petitioner submits that material belonging to the Electricity Department was dumped on the land of the Petitioner without any permission. He further submits that, about two years ago, while laying electrical poles, the authorities left certain damaged poles on the road in front of the Petitioner's neem garden. The Petitioner took two of the said damaged poles to support one of the neem trees and kept them there, which does not constitute any offence. It is contended that the said poles were scrap and unutilized by the Electricity Department and were lying alongside his land.

6. It is further submitted that a civil suit is pending between the Petitioner and the unofficial respondents in O.S. No.804 of 2023 on the file of the learned Principal Junior Civil Judge, Ongole, for recovery of money under a promissory note. Due to a change in administration, the defence in the said suit has allegedly influenced the Respondent Police to summon the Petitioner to the police station with an intention to compel withdrawal of the suit.

7. Be that as it may, when a crime has been registered against the Petitioner at the instance of the Electricity Department, the Petitioner has an alternative and efficacious remedy of seeking pre-arrest bail or filing a petition to quash the proceedings. The Petitioner is aged about 68 years and is engaged in cultivation. However, the Petitioner cannot be called to the police station unnecessarily without any valid basis.

8. Considering the facts and circumstances of the case and the submissions of the learned Assistant Government Pleader, the Writ Petition is

disposed of with a direction that the Respondent Police shall not call the Petitioner to the police station unnecessarily, except in connection with Crime No.64 of 2026. The Petitioner shall cooperate with the Investigating Officer for the purpose of investigation in Crime No.64 of 2026. 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: 20.04.2026
KMS

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

Writ PETITION No.10185 of 2026

Date: 20.04.2026

KMS