



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

[3543]

MONDAY, THE 31st DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION No: 24721 of 2026

Between:

1.VELIGATLA VENKATA NARAYANA, S/o. RAMAKRISHNA,
AGE 54 YEARS, OCC: COOLIE, R/o.No.7-120, GOWDA
RAMALAYAM, UNDRAJAVARAM MANDALAM, MORTHA, EAST
GODAVARI DISTRICT-534227.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, HOME DEPARTMENT, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT-522237.
- 2.THE DIRECTOR GENERAL OF POLICE, ANDHRA PRADESH,
DGP OFFICE, AP POLICE HEAD QUARTERS, MANGALAGIRI,
GUNTUR DISTRICT-522501.
- 3.THE SUPERINTENDENT OF POLICE, EAST GODAVARI,
RAJAMAHENDRAVARAM, ANDHRA PRADESH-533101.
- 4.THE STATION HOUSE OFFICER, SAMISRAGUDEM POLICE
STATION, EAST GODAVARI DISTRICT-534302.
- 5.THE STATION HOUSE OFFICER, NIDADAVOLE TOWN POLICE
STATION, EAST GODAVARI DISTRICT-534301.
- 6.THE STATION HOUSE OFFICER, UNDRAJAVARAM POLICE
STATION, EAST GODAVARI DISTRICT-534227.
- 7.THE SUPERINTENDENT OF JAIL, CENTRAL JAIL,
RAJAMAHENDRAVARAM, E.G.DIST-533101.

...RESPONDENT(S):

Counsel for the Petitioner:

Mr.VEERLA SATEESH KUMAR

Counsel for the Respondent(S):

THE ADVOCATE GENERAL

The Court made the following order: *(Per Hon'ble Sri Justice Ninala Jayasurya)*

The writ petition is filed seeking to declare the arrest and remand of the petitioner's minor son viz., [REDACTED] in connection with Crime No.106 of 2026 on the file of Samisragudem Police Station, as illegal, arbitrary, without jurisdiction; consequently to set aside the Remand Order dated 19.08.2026. Directions to forthwith release from judicial custody and deal with the petitioner's son strictly in accordance with the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short 'the Act') and the Rules made there under, were also sought.

2. Heard learned counsel for the petitioner and Mr.J.Krishna Praneeth, learned counsel representing the learned Advocate General appearing on behalf of the respondents.

3. As per the brief averments in the affidavit filed in support of the writ petition, on 15.08.2026 at about 5.35 p.m., six persons came to the petitioner's residence situated at D.No.7-120, Gowda Ramalayam, Undrajavaram Mandal, Mortha and without disclosing their identity, took the petitioner's son with them. Thereafter, on 18.08.2026, the petitioner's son made a phone call from Mobile No.94907 03020 and requested the petitioner to send Aadhar Card details through Whats App., to the said number. Subsequently, the petitioner is asked to attend Samisragudem Police Station and on enquiry, the petitioner was informed that the 4th

respondent-police registered a case in Cr.No.106 of 2026 against the petitioner's son and others for the offences punishable under Sections 331(4) and 305-A of Bharatiya Nyaya Sanhitha, 2023 on 17.08.2026. On 19.08.2026, the petitioner's son along with other accused were produced before the Principal Civil Judge(Junior Division), Kovvuru, FAC/Principal Civil Judge (Junior Division), Nidadavole and the petitioner's son along with other accused were remanded to judicial custody till 01.09.2026 in Central Prison, Rajamahendravaram.

4. Learned counsel for the petitioner, *inter alia*, submits that the petitioner's son was born on 12.09.2008 and as on 31.08.2026, he is aged about 17 years 11 months and 19 days; that he is a minor on the date on which the alleged offence took place on 20.07.2026. Referring to the averments in Para No.9 of the writ affidavit, he submits that in the Aadhar Card details furnished by the petitioner to the police, the relevant portion relating to the date of birth of the petitioner's son was removed / obliterated and that the age of the petitioner's son was represented as 19 years before the learned Magistrate and coerced the Child in Conflict with Law not to disclose anything about ill-treatment or age before the learned Magistrate. He further submits that though the petitioner's son is required to be dealt with in accordance with the provisions of the Act, the learned Magistrate under the said circumstances, ordered remand of the petitioner's son *vide* order dated 19.08.2026, that the same is without

jurisdiction. He contends that the Juvenile Justice Board is the competent authority to deal with the Child in Conflict with Law, the respondent-police officials though are well aware of the statutory requirement, produced the petitioner's son before the learned Magistrate for the reasons best known to them. Making the said submissions and contending that the Order of Remand dated 19.08.2026 is illegal, he seeks to set aside the same and grant reliefs as prayed for.

5. On the other hand, learned counsel representing the respondent-police officials sought to impress upon the Court that neither the petitioner nor his son had disclosed correct date of birth at the time of arrest. Further, no complaint whatsoever was made before the learned Magistrate either with regard to age of the petitioner's son or the alleged coercion / ill treatment. He also submits that the Aadhar details which were received by the police are slightly blur especially last digit of the year of birth and police are under the impression that the year of birth of petitioner's son is 2006. That in view of the same, action of the respondents and the Remand Order of the learned Magistrate cannot be found fault with.

6. However, we are not persuaded by the submissions made by the learned counsel. At this stage, learned counsel for the petitioner furnished a certified copy of Aadhar Card of petitioner's son furnished by the Court of Junior Civil Judge, Nidadavole. As seen from the said

certified copy (an enlarged Aadhar Card), it is curious to note that the relevant portion with regard to the date of birth is not available and it only discerns the name of the petitioner's father. While it is the duty of the respondent-police officials to verify the exact date of birth of the petitioner's son with reference to the material obtained by them, this Court, is at loss to understand as to how the date of birth, which is even otherwise clearly visible from the material filed before this Court along with the writ petition was found to be not clear to concerned police. Even the learned Junior Civil Judge (FAC) is expected to bestow attention while passing order of remand.

7. Learned counsel representing the respondents fairly submits that it is clear from the material produced on behalf of the petitioner, the date of birth of the petitioner's son is 12.09.2008 but not 12.09.2006. Under the above said circumstances, we are of the considered opinion that the Order of Remand dated 19.08.2026 directing the son of the petitioner by name [REDACTED] to judicial custody is illegal and unsustainable as also without jurisdiction. Therefore, the same to the extent of the petitioner's son is set aside and he shall be released forthwith. However, this order would not preclude the respondent-authorities to take action, in accordance with the provisions of the Act.

8. Writ Petition is accordingly allowed to the extent indicated above. This Court is of the considered opinion that it is a fit case to impose

costs. Therefore, respondent No.4/SHO, Samisragudem Police Station, East Godavari District, shall personally pay costs of Rs.10,000/- to the A.P.High Court Legal Services Committee, Amaravati, within a period of one (1) week, from the date of receipt of a copy of this order.

9. The 7th respondent-Superintendent of Jail, Central Jail, Rajamahendravaram shall take immediate steps for release of [REDACTED] [REDACTED] forthwith, who is presently lodged in Central Prison, Rajamahendravaram, pursuant to the Remand Order dated 19.08.2026 of Principal Civil Judge(Junior Division), Kovvuru, FAC/Principal Civil Judge (Junior Division), Nidadavole in Crime No.106 of 2026 on the file of Samisragudem Police Station.

Consequently, all pending applications, if any, shall stand dismissed.

JUSTICE NINALA JAYASURYA

JUSTICE T.C.D.SEKHAR

Date: 31.08.2026
BLV

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

THE HON'BLE SRI JUSTICE T.C.D.SEKHAR

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Dt: 31.08.2026

BLV