

**HONOURABLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No. 16573 OF 2014**

**DATED 11<sup>TH</sup> JUNE, 2015**

BETWEEN

Ch.Krishna

...Petitioner

And

The State of Telangana, rep. by Commissioner of  
Police, Basheerbagh, Hyderabad and anr.

....Respondents.

**HONOURABLE SRI JUSTICE A.V. SESA SAI**

**WRIT PETITION No. 16573 OF 2014**

**ORDER:**

-

Heard learned Counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner complains of opening and continuance of rowdy sheet against him. The petitioner states in the writ affidavit that no criminal cases are pending

against him. It is stated that he was suspended from the service during the pendency of two cases registered against him and on getting acquittal, his suspension was regularized by the proceedings of the Commissioner by order dated 16.1.2014 and that he has been promoted as Superintendent on 15.02.2014. It is further stated that he is not a habitual offender.

The Inspector of Police, Sanjeevareddy Nagar Police Station filed a counter affidavit, which shows that the petitioner was involved in two criminal cases--- one case in C.C.No.1309 of 2011 on the file of the learned III Additional Chief Metropolitan Magistrate, Hyderabad, which arise out of Cr.No.305 of 2011, and another case in Cr.No.328 of 2011 which was quashed by this court by order dated 02.08.2013 in Criminal Petition No. 6821 of 2011. It is stated in Paragraphs 4 to 6 of the counter affidavit as follows as a justification for continuing the rowdy sheet:

“ 4. It is respectfully submitted that in view of the involvement of the petitioner therein in the above criminal cases, it has become incumbent on the part of the respondents police to curb and curtail their unlawful activities, after obtaining the permission from the Assistant Commissioner of Police, Panjagutta Division vide Proceedings No.06/R-S/PER/ACP-PG/2011, dated 10.06.2011 the rowdy sheet of the petitioner herein has been opened on the file of this respondent police station, as per the Standing Orders contained in the A.P. Police Manual and it is continued up to 31.12.2014.

5. It is respectfully submitted that at present no fresh cases are reported and registered against the petitioner herein on the file of this respondent police station. It is submitted that at this stage if the rowdy sheet is closed, the petitioner may repeat the offences, hence the rowdy sheet is continued to watch his activities and movements only.

6. It is respectfully submitted that except opening and maintaining the rowdy sheet against the petitioner herein, the respondent has never harassed, threatened and interfered with the life and liberty by calling him to the police station as alleged by him.”

It is evident from the above that the petitioner was acquitted in one case

and another crime registered against him was quashed by this Court. It is also evident from the counter affidavit that no fresh cases are reported or registered against the petitioner. In view of the same, evidently the petitioner cannot be stated to fall in the category of habitual offender which is an essential requirement for opening and continuing a rowdy sheet against any person. In the circumstances, the basis for continuing the rowdy sheet against the petitioner is wholly unjustified and the rowdy sheet is liable to be quashed and it is accordingly quashed.

The Writ Petition is accordingly allowed. However, if the petitioner is found involved in any unlawful activity, it is open for the respondents to take appropriate action against him in accordance with law.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

-

-

-----  
JUSTICE A.V. SESA SAI

Dated 11<sup>TH</sup> JUNE, 2015.

Msnr<sub>x</sub>