

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.11603 OF 2012

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Between:

C. Nageswara Reddy and another .. Petitioners

And

The Superintendent of Police,
Y.S.R. District, Kadapa and others ..
Respondents

DATE OF JUDGMENT PRONOUNCED: 14-08-2015

—
SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.11603 of 2012

ORDER:

The grievance of the petitioners in this case was as to the opening and continuance of rowdy sheets in their names on the file of C.K. Dinne Police Station, Y.S.R. Kadapa District.

The Sub-Divisional Police Officer, Y.S.R. Kadapa District, filed an additional counter affidavit stating that the petitioners were involved in Crime Nos.92 of 2009, 43 of 2011, 111 of 2013 and 45 of 2014. Rowdy sheets were stated to have been opened in the names of the petitioners in April, 2011, owing to their involvement in these cases. However, at the time of opening of the rowdy sheets, only two crimes were registered against the petitioners i.e., Crime No.92 of 2009 and Crime No.43 of 2011. Further, Crime No.92 of 2009 had already ended in the acquittal of the petitioners on 09.11.2010 and could not be taken into account in the year 2011 when the rowdy sheets were opened. Insofar as the other offence in Crime No.43 of 2011 is concerned, the petitioners were stated to have been bound over for good behaviour therein on 29.03.2011 for six months by the Mandal Executive Magistrate, C.K. Dinne Mandal. Thus, at the time rowdy sheets were opened in the names of the petitioners there was only one offence in which they were allegedly involved. As per the law laid down by this Court in **KAMMA BAPUJI V/s. STATION HOUSE OFFICER, BRAHMASAMUDRAM^[1]** and **PUTTAGUNTA PASI V/s. COMMISSIONER OF POLICE, VIJAYAWADA^[2]**, the police cannot infer that a person is a habitual offender unless he is involved in at least more than two criminal offences. As the petitioners did not fulfill the said requirement, the very opening of rowdy sheets in their names

on 19.04.2011 fell foul of the law laid down by this Court. It is now stated that the said rowdy sheets have been extended up to 31.12.2015. The other cases cited by the Sub-Divisional Police Officer, Y.S.R. Kadapa District, are Crime Nos.111 of 2013 and 45 of 2014. The petitioners were stated to have been bound over for good behaviour for six months in Crime No.111 of 2013 on 10.07.2013. Insofar as Crime No.45 of 2014 is concerned, they are stated to have been bound over for six months for good behaviour by order dated 17.03.2014. These two crimes were obviously a result of the rowdy sheets already opened in the names of the petitioners. Therefore, there is no legal basis to sustain the continuance of the rowdy sheets in the names of the petitioners.

The Writ Petition is accordingly allowed. The respondents are directed to close the rowdy sheets maintained in the names of the petitioners on the file of C.K. Dinne Police Station, C.K. Dinne Mandal, Y.S.R. District forthwith.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

14.08.2015

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[\[1\]](#) 1997 (6) ALD 583

[\[2\]](#) 1998 (3) ALT 55 (D.B.)