

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.900 of 2014

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, questioning opening and continuance of rowdy sheet against the petitioner herein.

2. According to the petitioner, he is working as a private contract labour. The Police, Sanjeeva Reddy Nagar registered Crime No.202 of 1992 and subsequently the same was numbered as S.C.No.490 of 1996 on the file of II Additional Metropolitan Sessions Judge, Hyderabad. The learned Judge on 2.11.1998 acquitted the petitioner herein of all the charges. According to the learned counsel for the petitioner, even though the said crime ended in acquittal as long back as in the year 1998, the respondents herein are continuing the rowdy sheet against the petitioner and the same is highly illegal, arbitrary and in patent violation of petitioner's rights guaranteed under the Constitution of India.

3. On the contrary, reiterating the contents of the counter affidavit, it is submitted by the learned Government Pleader that S.C.No.490 of 1996 ended in acquittal in the year 1998, but the rowdy sheet is being continued and renewed from time to time and the same stands extended till 31.12.2015. It is also stated that the police registered Crime No.255 of 2014 under Section 107 Cr.P.C. in a bound over case and the said period continued till 18.3.2015.

4. It is submitted by the learned counsel for the petitioner that in view of the above reasons, there is absolutely no justification on the part of the respondent police in continuing the rowdy sheet against the petitioner herein. It is also stated that the petitioner herein submitted a representation on 23.12.2013 to the respondents herein, but no action

has been taken on the said representation.

5. A perusal of the information available before this Court manifestly reveals that the Sessions Case No.490 of 1996 ended in acquittal as long back as on 2.11.1998 and the bound over period also came to end on 18.3.2015 according to the additional counter filed by the Station House Officer. In these circumstances, this Court finds no justification on the part of the Respondent Police in not considering the representation dated 23.12.2013 submitted by the petitioner herein.

6. For the aforesaid reasons, the writ petition is disposed of, directing the respondents herein to take appropriate action on the representation dated 23.12.2013 said to have been submitted by the petitioner herein and pass appropriate orders, as per law, taking into consideration the changed circumstances, within a period of two months from the date of receipt of this order. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 29.7.2015
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI

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29.7.2015

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THE HON’BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.900 of 2014

Date: 29.07.2015

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Between:

Ramavath Balaiah Naik S/o Kalla,
Aged about 41 years, N.T.R.Thanda,
Dibba Guda Village, Kandukur Mandal,
Ranga Reddy District.

... Petitioner

and

Station House Officer,
Sangiva Nagar Police Station,
Hyderabad.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 29th July, 2015

SUBMITTED FOR APPROVAL: 29th July, 2015

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

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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 |