

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.39666 of 2014

BETWEEN

Pradeep Kumar and others.

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary, Home Department,
Secretariat, Hyderabad and others.

...RESPONDENTS

**Counsel for the Petitioners: MR. K. RAMAKANTH REDDY
For MR. MOHAMMED IRFAN**

Counsel for the Respondents: GP FOR HOME (TG)

The Court made the following:

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ORDER:

Five petitioners, against whom rowdy sheets are opened, have joined together and filed this writ petition with a prayer to quash the rowdy sheets.

2. Petitioners specifically state that though they were involved in S.C.No.1 of 2008 on the file of the VI Additional Metropolitan Sessions Judge, Hyderabad, they were acquitted in the said case by judgment dated 30.04.2008. Petitioners state that they were also acquitted in another case in S.C.No.331 of 2010 on the file of the I Additional Metropolitan Sessions Judge, Hyderabad under judgment dated 24.04.2014. Petitioners further state that they are neither habitual offenders nor any fresh case is registered against them but the respondents are continuing the rowdy sheets opened against them since 2008.

3. Counter affidavit is filed by respondent No.4 which states in para 3 that all the cases registered against each of the petitioner ended in acquittal apart from the cases referred to above. It is also specifically stated in para 4 that no fresh cases are neither registered nor opened against the petitioners on the file of the Langer House Police Station. However, the acquittal is described as technical acquittal and as such, the rowdy sheets opened against the petitioners on 20.07.2009 stood extended up 31.12.2015.

4. This Court, on more than one occasion held that rowdy sheet can be opened by the respondent police only in the event of being satisfied that as per the Police Standing Orders, the petitioner is a habitual offender. In the present case, in view of the fact that the all the criminal cases registered against the petitioners ended in acquittal and coupled with the fact that no fresh cases are registered against the petitioners, the continuation of rowdy sheets against the petitioners is not justified.

5. Though the writ petition is filed on behalf of the five different individuals against whom rowdy sheets are opened, a single writ petition of this nature cannot be entertained. Hence, as opted by the learned counsel for the

petitioners, this writ petition shall stand confined to petitioner No.1 with liberty to the learned counsel for the petitioner to file separate writ petitions with respect to other writ petitions. Hence, the rowdy sheet opened against petitioner No.1, therefore, shall stand quashed. However, this order will not preclude the respondents from taking appropriate action against petitioner No.1, if he is found involved in any offence by taking appropriate action in accordance with law.

The writ petition is allowed so far as petitioner No.1 is concerned. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

March 11, 2015

Note: Furnish C.C. of the order in two days.

(**B/o**) DSK