

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

MONDAY THE TWENTYFIRST DAY OF DECEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO.28122 OF 2011

Between:

Chevuru Ranga Reddy ... Petitioner

Vs.

The Superintendent of Police,
SPS Nellore district & Ors. Respondents

Counsel for the Petitioner: Sri G. Vijaya Saradhi

Counsel for the Respondents: GP for Home

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO.28122 OF 2011

ORDER:

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This writ petition filed under Article 226 of the Constitution of India, challenges the continuation of rowdy sheet bearing No.121 opened against the petitioner on the file of fourth respondent-police station.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home for respondents.

3. According to the petitioner, he hails from an agricultural family and leading his life by carrying on cultivation and the petitioner herein is a physically handicap person. It is stated that the petitioner herein was shown as Accused in SC.No. 2 of 2008 on the file of the Court of Principal District and Sessions Judge, Nellore for the offence alleged under section 302 of IPC and the learned Sessions Judge acquitted the petitioner by virtue of judgment dated 30/12/2009. It is further stated that there is not even a single case of conviction against the petitioner and no case is pending against the petitioner at present.

4. The grievance of the petitioner herein is that despite his acquittal in SC.No.2 of 2008, the respondent-police authorities are continuing rowdy sheet since 2007.

5. Counter-affidavit, filed by the Sub-Inspector of Police,

I-Town Police Station, Sri Potti Sree Ramulu Nellore district seeks to justify the continuation of rowdy sheet on the ground that in view of involvement of the petitioner in murder case rowdy sheet, opened against the petitioner is being continued. It is also stated in the counter-affidavit that posing himself as rowdy sheeter, the petitioner is settling money transactions under the limits of I-Town Police Station but there is no specific complaint from anybody, as such, a close watch is required against the petitioner. It is further stated that there is close watch against the unlawful activities of the petitioner.

6. It is the contention of the learned counsel for the petitioner that the very continuation of rowdy sheet against the petitioner despite his acquittal in SC.No.21 of 2007 as long back as in the year 2009 is highly arbitrary, illegal, unreasonable and violative of Articles 14 and 21 of the Constitution of India. It is further stated by the learned counsel for the petitioner that the impugned action is in contravention of the Police Standing Orders and the law laid down by this Court in various pronouncements.

7. The material available on record, in clear and unequivocal terms, discloses that no criminal cases are pending

against the petitioner subsequent to his acquittal in SC.No.21 of 2007 as long back as on 30/12/2009. It is the specific contention of the learned counsel for the petitioner that the respondent police authorities are continuing rowdy sheet in violation of the Police Standing Orders. It is also submitted that there are absolutely no ingredients of Police Standing Orders in the case of the petitioner herein. As such, the continuation of rowdy sheet against the petitioner cannot be sustained in the eye of law. It is further stated that the justification sought to be offered by the respondent-police authorities in the counter-affidavit is unsustainable in view of the law laid down by this court and the Hon'ble Apex Court and in view of the language employed in Police Standing Orders No.601. It is further brought to the notice of this court that the petitioner herein submitted a representation on 14/6/2010 before the Superintendent of Police, SPS Nellore, requesting for removal of his name from the rowdy sheet and for removal of his photograph in the Police Station.

8. Having regard to the nature of controversy and taking into consideration the facts and circumstances of the case, this writ petition is disposed of, permitting the petitioner herein to

submit a representation afresh to the second respondent within a period of one month from the date of receipt of a copy of this order for deletion of his name from the rowdy sheet and if any such application is made within the said time the second respondent shall take appropriate action in accordance with law within one month thereafter.

9. With the above direction, the writ petition is disposed of. No costs.

10. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

21/12/2015
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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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