

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42429 of 2015

ORDER:

The grievance of the petitioner in this case is as regards the maintenance of a rowdy sheet in his name on the file of Nagarampalem Police Station, Guntur, Andhra Pradesh.

The Sub-Divisional Police Officer, West Division, Guntur Urban, filed a counter-affidavit stating that the rowdy sheet against the petitioner was opened on 29.01.2013. Admittedly, as on that date, the petitioner was involved in only one case, Crime No.335 of 2011 on the file of Nagarampalem Police Station.

In the light of 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 very opening of a rowdy sheet in the name of the petitioner is unsustainable as this Court has time and again held that an inference cannot be drawn against a person that he is a habitual offender warranting opening of a rowdy sheet unless he is involved in more than two criminal cases.

The writ petition is accordingly allowed. There shall be a direction to the respondent authorities to forthwith close the rowdy sheet being maintained in the name of the petitioner on the file of Nagarampalem Police Station.

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

JUSTICE SANJAY KUMAR

1st March, 2016

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^[1] 1997 (6) ALD 583

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