

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41492 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the respondents 1 to 3 in opening a rowdy sheet against the petitioner, based on one incident alleged to have occurred on 31.10.2014, even though the petitioner is not an habitual offender involving the breach of peace and public tranquility, and the same is being continued by extending the rowdy sheet without specifying any reason, as arbitrary and illegal, and consequently, direct the respondents to close the rowdy sheet opened against the petitioner in the 1st respondent police station.

Heard and perused the material available on record.

The case of the petitioner is that basing on incident that was occurred on 31.10.2014 in the Municipal Council Hall, Nandyal, the 1st respondent received three complaints from three different persons and basing on such complaints, the 1st respondent registered three cases i.e. FIR No.224 of 2014 for the offences under Sections 147, 120, 447, 120-B, 427, 452, 342, 324, 307, 354, 152, 332, 336, 596 and 598 r/w.149 IPC; FIR No.225 of 2014 for the offences under Sections 147, 148, 324, 506 and 307 r/w.149 IPC and FIR No.226 of 2014 for the offences under Section 324 r/w.34 IPC and 3 (1) (s) of the Scheduled Castes and Scheduled Tribes Amendment Ordinance Act, 2014. Since the 1st respondent registered three separate cases, a rowdy sheet was opened against the petitioner and other accused.

The grievance of the petitioner is that earlier there are no cases pending against the petitioner and that the petitioner is not the habitual

offender and that the above three cases are filed out of one incident only, and that the police have erroneously opened the rowdy sheet and the same is continuing against the petitioner till date, and therefore, he prayed to direct the respondents to remove his name from the rowdy sheet.

Learned Assistant Government Pleader for Home, submitted that the petitioner may be directed to submit a representation to the Superintendent of Police concerned, informing the family background and also his non-involvement in any of the crimes subsequent to opening of rowdy sheet against him.

In view of the submission of the learned Assistant Government Pleader, the petitioner is directed to make a representation before Superintendent of Police, Kurnool – 4th respondent, to consider his case, and on such representation being filed, the 4th respondent is directed to consider the case of the petitioner and dispose of the same in accordance with law.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 30, 2016.
KTL