

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 7403 of 2011

Order:

This writ petition was filed challenging the action of the respondents 2 and 3 in interfering with the day-to-day business activities of the petitioner, calling him to police station and making him to sit in the police station with a threat to open rowdy sheet.

2. A counter affidavit is filed by the third respondent stating that the petitioner was involved in the following criminal cases.

“(i) Cr.No.24 of 2007 under Sections 324, 307 read with 34 IPC on the file of Kolimigundla Police Station, Kurnool District. The case ended in acquittal on 18.09.2009 before the Hon'ble Assistant Sessions Judge, Nandyal, vide SC No.495 of 2008.

(ii) Cr.No.28 of 2007 under Sections 4(b) and 5 of Explosive Substance Act on the file of Kolimigundla Police Station, Kurnool District. The case ended in acquittal on 29.03.2008 before the Hon'ble Judicial First Class Magistrate, Banaganapalli, Kurnool District, vide CC No.153 of 2007.

(iii) Cr.No.122 of 2007 under Section 110(e) and (g) Cr.P.C on the file of Kolimigundla Police Station, Kurnool District. The petitioner was bound over for a period of one year before the Hon'ble Mandal Executive Magistrate, Kolimigundla, Kurnool District vide MC No.52 of 2007, dated 26.12.2007.

(iv) Cr.No.90 of 2009 under Section 110(e) and (g) Cr.P.C on the file of Kolimigundla Police Station, Kurnool District. The petitioner was bound over for a period of six months before the Hon'ble Mandal Executive Magistrate, Kolimigundla, Kurnool District vide MC No.22 of 2009, dated 01.04.2009.

(v) Cr.No.3 of 2011 under Section 286 IPC and Section 3 of Explosive Substance Act on the file of Kolimigundla Police Station, Kurnool District. The petitioner was arrested on 18.01.2011 and remanded to judicial custody. He enlarged on bail. The case is under

investigation for want of RFSL report.

It is further stated that in view of the above, a rowdy sheet was opened against the petitioner as per the orders of the Sub-Divisional Police Officer, Allagadda, Kurnool District, dated 31.01.2011. The said rowdy sheet was opened as per the provisions mentioned in Order No.602(1) of the Andhra Pradesh Police Manual.

3. In view of the pendency of rowdy sheet against the petitioner, the relief sought for by him in the writ petition has no nexus to the facts of the case and, as rowdy sheet was opened way back in the year 2011, giving liberty to the petitioner to take appropriate legal steps, if there are any changed circumstances, this Writ Petition is dismissed.

There shall be no order as to costs.

4. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.
Date: 22.02.2016
Nsr

RAMALINGESWARA RAO, J.