

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.4138 of 2012

ORDER:

1. This writ petition was filed challenging the action of the respondents in opening and continuing of rowdy sheet against the petitioner.

2. Learned Government Pleader for Home, on the basis of the instructions, submits that the petitioner was involved in the following criminal cases on the file of Prathipadu Police Station, Guntur District:

“i. Cr.No.16/2005 under Sections 147, 148, 324 read with Section 149 I.P.C. The case ended in acquittal vide C.C.No.40/2007 before the Hon’ble VI Additional Junior Civil Judge, Guntur District.

ii. Cr.No.21/2005 under Section 107 Cr.P.C. The Hon’ble Mandal Executive Magistrate, Prathipadu Mandal, bound over the petitioner vide M.C.No.5/2005.

iii.Cr.No.33/2005 under Section 324 read with Section 34 I.P.C. The case ended in acquittal on 31.01.2007 vide C.C.No.41/2007 before the Hon’ble VI Additional Junior Civil Judge, Guntur District.

iv.Cr.No.57/2006 under Sections 147, 148, 324, 286 read with Section 149 I.P.C. The case ended in acquittal on 19.11.2009 vide C.C.No.78/2007 before the Hon’ble VI Additional Junior Civil Judge, Guntur District.

v. Cr.No.55/2010 under Section 307 I.P.C. The case ended in conviction vide S.C.No.192/2011 before the Hon’ble Additional Assistant Sessions Judge, Guntur District.

vi.Cr.No.34/2014 under Section 110 (e) Cr.P.C. The Hon’ble Mandal Executive Magistrate, Prathipadu Mandal, bound over the petitioner vide

M.C.No.3/2014.

vii.Cr.No.102/2015 under Section 110 (e)
Cr.P.C. The Hon'ble Mandal Executive Magistrate,
Prathipadu Mandal, bound over the petitioner vide
M.C.No.7/2015.”

3. A rowdy sheet was opened against the petitioner after obtaining permission from the South Sub Divisional Police Officer, Guntur Urban. The rowdy sheet is being continued up to 31.12.2016.

4. A perusal of the above list of cases shows that the petitioner was acquitted in three cases and he was bound over in three cases. Further he was convicted in Crime No.55 of 2010, which was tried as S.C.No.192 of 2011 by the learned Additional Assistant Sessions Judge, Guntur. Learned Counsel for the petitioner submits that against the said conviction, an appeal was preferred and the same is pending.

5. Since there is only one case pending investigation, it is open to the petitioner to submit a representation to respondents 2 and 3 to close the rowdy sheet opened against him and on receipt of such representation, respondents 2 and 3 shall take necessary action in accordance with law, within a period of two months thereon.

6. The Writ Petition is accordingly disposed of. No order as to costs.

7. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

22-02-2016
Gsn

