

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36804 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the respondents 2 and 3 in failing to close the suspect sheet opened during the pendency of crime against the petitioner in spite of the acquittal of the petitioner in C.C.No.165 of 2015 by the Hon'ble First Metropolitan Magistrate, Vijayawada, Krishna District, as illegal and arbitrary, and consequently, to direct the respondents 2 and 3 to close the suspect sheet against the petitioner.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner was falsely implicated in the crime in 2011 and that he was acquitted by the competent Court and during the pendency of the said case, a false petty case is booked against the petitioner and that in view of the same, rowdy sheet is opened against the petitioner. He further submits that though the petitioner was acquitted, the respondents are continuing the suspect sheet against the petitioner, which is illegal and arbitrary. Hence, he prays this Court to direct the respondents 2 and 3 to close the rowdy sheet against the petitioner.

Considering the facts and circumstances of the case, the petitioner is directed to make a representation to the respondents 2 and 3 stating the grounds raised in the writ petition seeking closure of the suspect sheet and on filing of such application, the respondents 2 and 3 are directed to consider the representation and pass appropriate orders. Further, the respondents 2 and 3 are directed not to compel the petitioner to attend before the Police Station.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

22.11.2016

pln