

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.35360 of 2012

ORDER:

This writ petition was filed challenging the action of the first respondent in opening and continuing the rowdy sheets against the petitioners.

2. Rowdy sheets were opened against the petitioners on 31.01.2010 by the Inspector of Police, I Town Police Station and subsequently the rowdy sheets were transferred to the second respondent i.e., Inspector of Police, Chittoor II Town Police Station on jurisdiction point. Since the petitioners were not aware of the details as to why the rowdy sheets were opened, they submitted an application dated 18.01.2012 under the Right to Information Act and they obtained information. After obtaining the information, the petitioners filed the present writ petition.

3. The learned Government Pleader, on the basis of written instructions, submits that the petitioners are involved in the following crimes.

“i. Cr.No.145/2007 U/s. 324, 326, 307, 302 IPC & Sections 3 & 5 of Explosive Substance Act r/w, Sec. 120-B IPC on the file of Chittoor I Town Police Station, Chittoor District. The case is pending trial vide S.C.No.330/2012 before the Hon'ble I Additional District and Sessions Judge, Chittoor District.

ii. Cr.No.15/2007 U/s. 147, 148, 307, 302 r/w. 149 IPC and Section 25 (1-B) (a) and 27 of Indian Arms Act on the file of I Town Police Station. The case is pending trial vide S.C.No.14/2009 before the Hon'ble I Additional District and Sessions Judge, Chittoor District.

iii. Cr.No.25/2004 U/s.110 (3) Cr.P.C. on the file of II Town Police Station. The Hon'ble Mandal Executive Magistrate, Chittoor bound over the petitioners for their good behaviour vide M.C.No.52/2014 dated 5.3.2014.”

He however submits that since the petitioners are facing trial in two sensational murder cases, the rowdy sheets cannot be closed.

4. The learned counsel for the petitioners submits that the cases where the petitioners are facing trial relate to the year 2007, whereas the rowdy sheets were opened in the year 2010 in order to harass the petitioners.

5. In the circumstances, the writ petition is disposed of giving liberty to the petitioners to submit a representation to the second respondent within a period of 30 days from the date of receipt of a copy of this order and the second respondent shall review the need for continuance of the rowdy sheets against the petitioners in the light of the A.P. Police Manual Standing Orders and pass appropriate orders in accordance with law. No order as to costs. Miscellaneous petitions, if any pending, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 21.03.2016

TJMR