

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 37490 of 2015

ORDER:

The grievance of the petitioner is with regard to the continuance of a rowdy sheet in his name on the file of Kakatiya University Campus Police Station, Warangal.

2. The Inspector of Police, Kakatiya University Campus Police Station, Warangal, filed a counter affidavit setting out the details of the crimes in which the petitioner was allegedly involved. However, perusal thereof reflects that as on date only Crime No.243 of 2013 which was registered against the petitioner under Sections 307, 34, 427, 447 and 506 IPC is pending and is the subject matter of P.R.C.No.20 of 2014. The petitioner was acquitted in one case while two cases were referred as civil in nature and another was referred as false. He was bound over in five cases.

3. The aforestated facts demonstrate that as on date the petitioner is involved only in one case. In the light of the law laid down by this Court in ***Puttagunta Pasi vs. Commissioner of Police, Vijayawada***^[1] and ***Kamma Bapuji vs. Station House Officer, Brahmasamudram***^[2], it is not open to the police authorities to castigate a person as a habitual offender unless he is involved in at least more than two cases. That is not the situation presently and continuance of the rowdy sheet in the name of the petitioner is in violation of law.

4. The writ petition is accordingly allowed. There shall be a direction to the respondent authorities to forthwith close the rowdy sheet opened in the name of the petitioner and being maintained on the file of Kakatiya University Campus Police Station, Warangal.

Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

February 4, 2016
LMV

[\[1\]](#) 1998(3) ALT 55 (DB)

[\[2\]](#) 1997(6) ALD 583