

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.32596 of 2012

ORDER:

1. The petitioner claims to be belonging to Vaddera caste and is working as a teacher in Primary School at Malipuram village in Thirumalagiri Mandal of Nalgonda District. While so, on 01.09.2009 the 2nd respondent registered a case in Crime No.86 of 2009 against the petitioner, his father and his wife for the offences under Section 286 I.P.C. and Sections 3 and 4 of Explosive Substances Act. A charge sheet was filed in the said case on 30.09.2010. Thereafter, another case in Crime No.21 of 2010 was registered by the 2nd respondent on 17.03.2010 against the petitioner for the offence under Section 353 I.P.C. and a charge sheet was filed on 07.04.2010. Similarly, he was involved in other criminal cases. A rowdy sheet was opened in 2012 for his involvement in the criminal cases. Challenging the opening and continuing of rowdy sheet against the petitioner, the present writ petition was filed.

2. A counter-affidavit was filed by the 2nd respondent stating that the petitioner was involved in 11 criminal cases, out of which he was acquitted in five cases, five cases are pending trial and in one case he was bound over. The rowdy sheet was opened against the petitioner after obtaining permission from the concerned officers on 05.10.2011 and it was continued up to 31.12.2015. It was also stated that the petitioner is facing trial in five cases and bound over before the Revenue Divisional Officer's Court at Suryapet of Nalgonda District.

3. Though the petitioner filed a reply, he did not dispute the pendency of cases against him.

4. Learned Counsel for the petitioner states that the petitioner is not a rowdy in order to enable the respondents to open a rowdy sheet against him. He also submitted that the petitioner is working as a teacher and he recently got an award of best teacher.

5. In view of the pendency of more than four cases, this Court cannot hold that the action of the 2nd respondent in opening the rowdy sheet against the petitioner is bad in law. The petitioner is unable to show any particular provision of the Police Standing Orders prohibiting the respondents from opening the rowdy sheet against him.

6. In the circumstances, the Writ Petition is dismissed. However, it is open to the petitioner to make a representation to the concerned Police Officer as and when he is acquitted in some of the criminal cases and if he feels that the situation had to be reviewed by the concerned Police Officer. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

28-03-2016

Gsn