

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 37206 of 2016

ORDER:

This writ petition was filed challenging the action of respondent No.4-Station House Officer, Shalibanda Police Station, Hyderabad in continuing suspect sheet against the petitioner.

The petitioner states that he was falsely implicated in Crime No.54 of 2010 and based on the same, a suspect sheet was opened against him and eight others by respondent No.4. The said crime was ultimately ended in acquittal by order, dated 13.06.2012, passed by the XIV Additional Chief Metropolitan Magistrate, Hyderabad in C.C.No.43 of 2012. The petitioner submitted a representation on 27.02.2016 to close the suspect sheet and in spite of the same, no action was taken. Hence, the present writ petition was filed.

Though respondent No.4 filed a counter-affidavit on 23.11.2016, in view of the periodical review made in December 2016, learned Government Pleader for Home was directed to file additional counter-affidavit.

Respondent No.4 filed additional counter-affidavit stating that no further crime was registered against the petitioner, but suspect sheet was renewed up to 31.12.2017.

It is clear from the above facts that the petitioner was involved in only one crime, which was ended in acquittal. Thereafter, no further crime was registered. This Court, time and again, repeatedly held that the suspect sheet cannot be continued if there are less than two crimes and respondent No.2-Commissioner of Police, Hyderabad City should have reviewed the case keeping in view the representation made by the petitioner, dated 27.02.2016.

In view of the representation, dated 27.02.2016, and for non-consideration of the same, respondent No.3-Deputy Commissioner of Police, South Zone, Hyderabad is directed to close the suspect sheet against the petitioner and pass appropriate orders in that connection, within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:06.03.2017

kdl

