

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23765 of 2018

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the action of the respondents in opening and continuing the Rowdy Sheet No.58/389, dated 01.05.2013 by the 4th respondent against the petitioner as illegal and arbitrary and consequently direct the respondents to close the Rowdy Sheet pending against the petitioner.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Home and perused the record.

3. Since the petitioner was involved in two crimes viz., Cr.No.76 of 2013 under Sections 324, 323 r/w 34 IPC and Cr.No.80 of 2013 under Section 147, 148, 307 and 324 r/w 149 IPC were registered against the petitioner on the file of Amalapuram Town Police. The Cr.No.76 of 2013 was numbered as CC No.266 of 2013 on the file of Judicial I Class Magistrate, Amalapuram and same was entered into compromise vide Lok Adalath Award dated 23.07.2016. As far as Cr.No.80 of 2013 is concerned, after filing of the charge sheet, the same was numbered as Sessions Case No.23 of 2015 on the file of Assistant Sessions Judge, Amalapuram, which ended in acquittal vide Judgment dated 14.07.2016 and the petitioner was acquitted. The petitioner made representation to the

Superintendent of Police, East Godavari, Kakinada, dated 18.12.2017 to close the Rowdy Sheet. As no action was taken, the present writ petition is filed.

4. Learned Assistant Government Pleader for Home submits that there is no endorsement made on the representation of the petitioner.

5. Learned counsel for the petitioner submits that the petitioner will make necessary application to the competent authority stating the above facts.

6. In view of the same, the writ petition is disposed of granting liberty to the petitioner to make representation to the competent authority and the competent authority is directed to consider the same and take action in accordance with law within a period of 4 weeks from the date of representation. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

DATED: 11-07-2018
kvs

A.RAJASHEKER REDDY,J

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