

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.22944 of 2016

ORDER:

In the present writ petition, challenge is to the action of the Respondent Police authorities in opening and continuing rowdy sheet against the petitioners herein.

2. According to the writ affidavit, S.C.No.324 of 2003 which arose out of Crime No.11 of 2003 on the file of 4th respondent Police Station and S.C.No.2 of 2007 which arose out of Crime No.52 of 2004 on the file of 4th respondent Police Station ended in acquittal on the file of VIII Additional District and Sessions Judge (FTC), Guntur. It is further stated that the 2nd petitioner is the cousin and 3rd petitioner is the brother-in-law of 1st petitioner and against them, police registered Crime No.11 of 2003 on the file of 4th respondent Police Station and the same was the subject matter of S.C.No.324 of 2003 on the file of VIII Additional District and Sessions Judge (FTC), Guntur and the same ended in acquittal on 14.10.2008.

3. According to the learned counsel for the petitioner, the impugned action on the part of the Police authorities is arbitrary, illegal, unreasonable and violative of Articles 14 and 21 of the Constitution of India, besides being opposed to the very spirit and object of Police Standing Orders. It is further submitted by the learned counsel that the petitioners herein do not fall under any of the contingencies as stipulated in the Police Standing Orders.

4. A counter affidavit is filed by the Sub-Divisional Police Officer, North Sub-Division, Guntur Urban District-3rd respondent, giving particulars of the criminal cases booked against the petitioners herein. According to the said counter, the rowdy sheet against the petitioners herein continued till

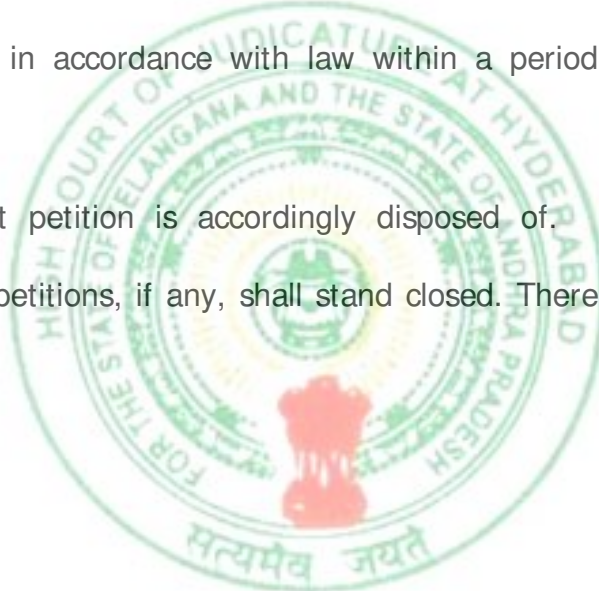
31.12.2016. It is the submission of the learned Government Pleader that the competent authority for considering the request of the petitioners herein is the 3rd respondent herein.

5. Having heard the learned counsel for the petitioners and the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition, keeping it open to the petitioners herein to file appropriate application to the Sub-Divisional Police Officer, North Sub-Division, Guntur Urban District-3rd respondent for redressal of their grievance within a period of three weeks from the date of receipt of this order and if any such application is filed, the same be considered and appropriate orders be passed strictly in accordance with law within a period of three months thereafter.

6. The writ petition is accordingly disposed of. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 5.3.2018
DA

A.V.SESHA SAI, J





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5.3.2018

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