

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.41219 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Peddamudiam Police Station, Kadapa District, dated 20.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

"It is submitted that the petitioner herein is unlawful character locally and continuously indulging in the commission of lawless acts involving breach of public peace and tranquility. It is submitted that as per the available records the petitioner herein involved in the following criminal cases:-

- i) Cr.No.31/2003 for the offences under Sections 147, 148, 324, 302 r/w 149 I.P.C., on the file of Peddamudiam Police Station, Kadapa District (Jammalamadugu Rural Circle). The case is ended in conviction vide S.C.No.4/2004 on the file of the Hon'ble II-Additional District Judge, Proddatur.
- ii) Cr.No.95/2006 for the offences under Sections 147, 148 and 307 r/w 149 I.P.C., on the file of Peddamudian Police Station, Kadapa District (Jammalamadugu Rural Circle). The case is ended in conviction vide S.C.No.69/2008 on the file of the Hon'ble II-Additional District Judge, Proddatur.

- iii) Cr.No.111/2014 for the offences under Sections 341 and 506 I.P.C., on the file of Peddamudian Police Station, Kadapa District, (jammalamadugu Rural Circle). The case ended in acquittal vide C.C.No.06/2015 on the file of the II-Additional District Judge, Proddatur.
- iv) Cr.No.94/2018 for the offence under Section 107 Cr.P.C., on the file of Peddamudian Police Station, Kadapa District, (jammalamadugu Rural Circle) and the Hon'ble Mandal Executive Magistrate, Peddamudian Mandal, Kadapa District bound over the petitioner and his brother respondent No.5 Yekkaluri Sudhakara Reddy vide M.C.No.9/2018.

It is submitted that in view of the involvement of petitioner in criminal cases, it has become incumbent on the part of Police to open a rowdy sheet to keep watch on his activities and to curtail unlawful activities. It is submitted that as per the proceedings of the Sub-Divisional Police Officer, Jammalamadugu Sub-Division, vide Memo No.86/SDPO/JMD/2015, dated 17.08.2015, the rowdy sheet has been opened against the petitioner herein on the file of Peddamudian Police Station, Kadapa District, (jammalamadugu Rural Circle) and the same has been maintaining and it is continued upto date.

It is submitted that the respondents Police to curb and curtail the petitioner unlawful activities opened the rowdy sheet

No.555 against him to watch movements from time to time.

It is submitted that the contention of the petitioner that Peddamudian Police Station, Kadapa District, (jammalamadugu Rural Circle) harassed and interfered with the civil dispute in respect of the land under Sy.No.437/5 P1, admeasuring Ac.0.34 cents, situated at Jangalapalli village, Peddamudiyam Mandal, Kadapa District, and tried to dispossess the petitioner is incorrect and baseless. It is submitted that Peddamudian Police, Kadapa District, (jammalamadugu Rural Circle) did not harass or tried to interfere or dispossess the petitioner at any point of time.

It is incorrect to say that the respondent No.3 Jammalamadugu Rural Circle summoned the petitioner on 28.06.2018 abused, threatened and obtained his signatures on white papers and create false documents, hence denied.

It is also incorrect to say that the respondent No.3 hand in glove with the respondent No.5 brother of the petitioner summoned and threatened to implicate the petitioner in false cases by opening rowdy sheet against him, hence denied. It is submitted that already rowdy sheet opened against the petitioner vide Rowdy Sheet No.555 on the file of Peddamudiyam Police Station and it is continued up to date, hence the question of threatening to open rowdy sheet does not arise.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Peddamudiam Police Station, Kadapa District, dated

20.11.2018, with a further direction to the respondent-police authorities not to interfere with the civil disputes unless the same is permissible in accordance with law. Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date:06.12.2018
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