

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.20222 of 2013

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader appearing for the respondents 1 and 2.

2. The prayer sought in the writ petition is as under:-

“...to issue of writ of Mandamus declaring the action of the Respondents in interfering with the personal liberty of the Petitioner in taking the Petitioner signatures during night hours of every day in the register as arbitrary, illegal and violative of Article 21 of the Constitution of India and consequentially direct the Respondents not to interfere with the personal liberty of the Petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

3. The 1st respondent filed counter-affidavit denying the averments made in the affidavit filed in support of the writ petition and contended *inter alia* that the petitioner was involved in Crime No.16 of 2000 for the offence under Section 380 IPC on the file of the Amangal Police Station, Mahabubnagar. The case was ended in acquittal on 03.04.2003 vide C.C.No.88 of 2000 before the learned Judicial First Class Magistrate at Kalwakurthy, Mahabubnagar District. In view of the involvement of the petitioner in the above case, the respondent police obtained a suspect sheet against the petitioner to curtail his unlawful activities and not to repeat other offences, after obtaining permission from the Sub-Divisional Police Officer, Shadnagar, Mahabubnagar District, vide C.No.699/SDPO/07, dated 14.12.2007. As on the date of filing of the counter-affidavit, no fresh cases were reported on the file of the 1st respondent Police Station. It is further mentioned that the suspect sheet is continued to

watch his activities and movements. It is also further mentioned in the counter-affidavit that the writ petition has been filed to get the suspect sheet closed with an intention to continue his illegal activities. As far as the allegation of the petitioner that the respondent police have interfered with the life and liberty of the petitioner by sending police constables every day night to the house of the petitioner and obtained his signatures is incorrect and baseless. It is also specifically mentioned that except opening the suspect sheet against the petitioner, the respondent police never harassed, threatened and interfered with the life and liberty of the petitioner by calling him to the Police Station at any point of time.

4. At this stage, learned counsel for the petitioner requests the Court to give a direction to the respondents to close the suspect sheet.

5. From a perusal of the record and also the submission made by the learned Government Pleader, it is evident that the petitioner was involved in one crime, in which he was acquitted. It is also not their case that the petitioner involved in other crimes. In that view of the matter, the 2nd respondent is directed to close the suspect sheet, if not already closed, as expeditiously as possible within a period of two months from the date of receipt of a copy of this order.

6. With the above said direction, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

P. KESHAVA RAO, J

9th December 2019
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