

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.37411 of 2012

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for the respondents 1 to 3.

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

“...to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondents in opening rowdy sheet in the name of the petitioner in Bhupalpally police station, Warangal district by the respondents and calling the petitioner frequently to the Bhupalpally police station, Warangal district is highly arbitrary, bad and illegal and consequently direct the respondents to remove the rowdy sheet opened in the name of the petitioner from the Bhupalpally police station, Warangal district and pass such other order or orders as deem fit and proper.”

3. Learned Government Pleader placed on record the written instructions, dated 11.11.2019, issued by the Sub-Inspector of Police, Bhupalpally Police Station, Jayashankar Bhupalapally District.

4. From a perusal of the said written instructions, it is revealed that the petitioner is an unlawful character locally and continuously indulging in the commission of lawless acts involving breach of public peace and tranquility. As per the available records, the petitioner has been involved in ten cases as mentioned in the written instructions. At present, one case in Crime No.5 of 2009 for the offences under Sections 169, 170, 177, 465, 468, 409 and 420 IPC is under investigation and in two other criminal cases i.e., Crime No.232 of 2010 and Crime No.4 of 2011 registered for different offences under the Indian Penal Code, this Court stayed all further proceedings.

In view of the involvement of the petitioner in criminal cases, it has become incumbent on the part of the police to open a rowdy sheet to keep watch on his activities and to curtail unlawful activities, as per the proceedings of the Sub-Divisional Police Officer, Parkal, Warangal District, vide C.No.878/SDPO-PKL/2011, dated 30.07.2011. It is also further mentioned in the written instructions that the rowdy sheet is being continued and renewed from time to time.

5. From a perusal of the written instructions, it is evident that after 2011, no other criminal cases have been registered against the petitioner. However, for continuing rowdy sheet, what is required is the petitioner should be a habitual offender, causing breach of peace and tranquility. The last crime registered against the petitioner was Crime No.4 of 2011 for the offences under Sections 420, 468 and 409 IPC. However, continuation of a rowdy sheet, there should be a fresh material to the effect that the petitioner has been involved in the commission of different offences. The reason given by the respondents in the written instructions is to curtail the activities of the petitioner, rowdy sheet was opened and being continued as per the Standing Orders 601, may not be correct, since no fresh cases are registered against the petitioner after 2011.

6. In these circumstances, this Court feels that to meet the ends of justice, the petitioner is given liberty to file a representation before the concerned authorities for closure of the rowdy sheet. Upon which, the

concerned authorities are directed to pass appropriate orders within a period of four weeks from the date of receipt of such representation.

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

Miscellaneous petitions pending, if any, shall stand closed.

P. KESHA VA RAO, J

3rd January 2020

mar

