

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION No.44936 of 2022

ORDER:

This writ petition is filed being aggrieved by the action of respondent Nos.2 to 5 in opening and maintaining rowdy sheet/history sheet of the petitioner and by displaying his photo at Golkonda Police Station, Asif Nagar Division, Hyderabad as illegal and arbitrary.

2. Rowdy sheet is opened against the petitioner for his involvement in Cr.No.72 of 2021 of Golkonda police station registered for the offences punishable under Section 302 of the Indian Penal Code, 1860.

3. Learned counsel for the petitioner submitted that as held by this Court in several decisions, there should be atleast two criminal cases pending against the person for opening rowdy sheet and to treat him as habitual offender under Police Manual No.601, and in the present, there is only one case is pending against the petitioner, therefore, opening of rowdy sheet against the petitioner is illegal

4. The learned counsel for the petitioner seeks permission of the Court to withdraw the writ petition against respondent No.6 and the learned counsel made an endorsement to that effect.

5. It is not in dispute that the petitioner is involved in only one case. Therefore, as held in **MANSOOR SHAH KHAN v. STATE OF TELANGANA** (W.P.No.22980 of 2020 dated 01.06.2021) opening and continuation of rowdy sheet, unless the person is involved in more than two cases, is not permissible.

6. For the foregoing reasons, the writ petition is allowed and the rowdy sheet opened against the petitioner shall be closed forthwith. However, liberty is granted to the police to open rowdy sheet against the petitioner, if in future petitioner is involved in more than two criminal cases and if Standing Order No.601 of Police Manual is attracted. The miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

B. VIJAYSEN REDDY, J

Date: 29.12.2022
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THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

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29.12.2022

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