

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**(Special Original Jurisdiction)**

**WEDNESDAY, THE EIGHTH DAY OF FEBRUARY**

**TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY**

**WRIT PETITION NO: 42443 OF 2022**

**Between:**

Md. Waheb Baig S/ o. Vali Mohammed, Occ. Contractor, R/ o. H No. 19-2-288,  
Ashoknagar, Godavarikhani, Peddapalli District

**...PETITIONER**

**AND**

1. The State of Telangana, Rep by its Principal Secretary, Home Department Secretariat, Hyderabad.
2. The Director General of Police, State of Telangana, DGP Office, Lakdikapool, Hyderabad.
3. The Commissioner of Police, Ramagundam Commissionerate, Ramagundam
4. The Assistant Commissioner of Police, Godavarikhani, Ramagundam, Peddapalli District.
5. The Sub Divisional Police Officer, Godavarikhani, Peddapalli District.
6. The Station House Officer, Godavarikhani I Town Police Station, Godavarikhani Peddapalli District.

**...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 3 to 6 police in not closing the rowdy sheet open against the petitioner without having any criminal cases is pending against the petitioner without considering the acquittal judgment passed in Spl. Sessions Case No. 70 of 2015, dated 13.07.2022 passed by the Spl Sessions Judge for Trial of Offences under SCs and STs (POA) Act-cum-III Additional Sessions Judge at Karimnagar in connection with Crime No. 190/ 2013, but not removed the petitioner name as rowdy sheet in the police records, is illegal, arbitrary and against the principles of natural justice and also violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents police to close the rowdy sheet opened against the petitioner in the interest of justice.

**IA NO: 1 OF 2022**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents police to close the rowdy sheet opened against the petitioner in the year 2014 as per the judgment dated 13.07.2022 passed in Spl SC No. 70/2015 passed by the Spl Sessions Judge for Trial of Offences under SCs & STs (POA) Act-cum-III Additional Sessions Judge at Karimnagar.

**Counsel for the Petitioner:**

**SRI. SRIKANTH PULIPAKA**

**Counsel for the Respondents:**

**GP FOR HOME**

**The Court made the following:**

**THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

**WRIT PETITION No.42443 of 2022**

**ORDER:**

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

2. Learned counsel for the petitioner submitted that the rowdy sheet was opened against the petitioner on the basis of a single crime i.e. Cr.No.190 of 2013 of NTPC Police Station. Charge sheet was also filed in the said case and the petitioner was tried in Spl. Sessions Case No.70 of 2015 on the file of the Special Sessions Judge-cum-III Additional Sessions Judge, Karimnagar. The said case ended in acquittal vide judgment dated - 13.07.2015. Thus, continuation of rowdy sheet is illegal and unconstitutional.

3. Learned Assistant Government Pleader for Home submitted that draft counter is ready. However, he fairly concedes that the rowdy sheet was opened against the petitioner on 06.02.2014 as he was involved in Cr.No.190 of 2013, which eventually ended in acquittal under the aforesaid judgment. Further, the Station House Officer, Godavarikhani-I Town Police Station, has addressed letter in C.No.393/Q2/2022 dated 27.12.2022 requesting the Assistant Commissioner of Police/respondent No.4 to close the rowdy sheet. Proceedings C.No.78/ACP-GDK/2022 dated 27.12.2022 was issued

permitting the Station House Officer, Godavarikhani-I Town Police Station to close the rowdy sheet and subsequently, the rowdy sheet has been closed.

4. In view of the same, the writ petition is allowed and the respondents are directed to forthwith close the rowdy sheet, if not already closed. The respondents-police are at liberty to open the rowdy sheet against the petitioner, if he is found involved in more than two crimes and if the conditions contemplated under Order 601 of the A.P. Police Manual are satisfied.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

**SD/- MOHD. SANAULLAH ANSARI**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

  
**SECTION OFFICER**

**To,**

1. The Principal Secretary, Home Department Secretariat, State of Telangana, Hyderabad.
2. The Director General of Police, State of Telangana, DGP Office, Lakdikapool, Hyderabad.
3. The Commissioner of Police, Ramagundam Commissionerate, Ramagundam
4. The Assistant Commissioner of Police, Godavarikhani, Ramagundam, Peddapalli District.
5. The Sub Divisional Police Officer, Godavarikhani, Peddapalli District.
6. The Station House Officer, Godavarikhani I Town Police Station, Godavarikhani Peddapalli District.
7. One CC to SRI. SRIKANTH PULIPAKA Advocate [OPUC]
8. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
9. Two CD Copies

HIGH COURT

BVR, J

DATED: 08/02/2023

ORDER

WP.No.42443 of 2022



WRIT PETITION  
IS ALLOWED  
WITHOUT  
COSTS