APHC010546332023

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3604]**
(Special Original Jurisdiction)

SATURDAY, THE 10th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

WRIT PETITION NO: 28342 OF 2023

Between:

1. SIDDAMREDDY SRINIVASULU REDDY, S/O. TIRUPALU REDDY, AGED 45 YEARS, OCC . BUSINESS, CHANDRAPADIYA VILLAGE, VINJAMUR MANDAL, S.P.S.R. NELLORE DISTRICT PRESENTLY RESIDING AT DOOR NO.50/97, VOC NAGAR, 15T STREET, MADURAISWAMY MATAM, PERAMBUR, CHENNAI -600 011, TAMILNADU STATE.

...PETITIONER

AND

1. THE STATE OF AP, REP., BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, VELAGAPUDI, SECRETARIAT BUILDING, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH.
2. THE SUPERINTENDENT OF POLICE, S.P.S.R. NELLORE DISTRICT, NELLORE.
3. THE STATION HOUSE OFFICER, VINJAMUR POLICE STATION, SPSR NELLORE DISTRICT.

...RESPONDENT(S):

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 or order more particularly one in the nature of writ of mandamus or an appropriate writ or order declaring the Rowdy Sheet No.60 dated 29.06.2022 opened by the 3rd respondent against the petitioner without any basis, is illegal, arbitrary and unconstitutional and consequently set aside the Rowdy Sheet No.60, dated 29.06.2022 and to pass

IA NO: 1 OF 2023

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 suspend the Rowdy Sheet No.60 dated 29.06.2022 opened by the 3rd respondent against the petitioner, pending disposal of the Writ Petition, and to pass

Counsel for the Petitioner:

1. KOTI REDDY IDAMAKANTI

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

THE HON'BLE SMT. JUSTICE SUNITHA GANDHAM

WRIT PETITION No.28342 OF 2023

ORDER:

This writ petition is filed seeking a direction to the respondents to close Rowdy Sheet No.60, dated 29.06.2022, opened against the petitioner by the 3rd respondent and maintained at Vinjamuru Police Station, SPSR Nellore District.

2. The petitioner's case, in brief, is that he has been residing with and taking care of his mother. Due to civil disputes, his father lodged two complaints against him, namely, Crime No.166 of 2018 under Section 324 IPC, which was subsequently compromised, and Crime No.20 of 2022 under Sections 435, 438 and 427 read with Section 483 IPC, which is pending. Another case, Crime No.82 of 2022 under Sections 448, 427 and 506 IPC, allegedly foisted by Somala Narasimhulu, was compromised on 05.07.2025. Further, Crime No.12 of 2017 under Sections 452, 324, 355 and 506 read with Section 34 IPC ended in acquittal on 05.03.2021.

3. The petitioner further contends that respondent No.3 had no authority to open a rowdy sheet against him and that the impugned action is unsustainable under Order No.601 of the A.P. Police Manual. Out of the four cases referred to by the respondents, the petitioner was acquitted in Crime No.12 of 2017, while two other cases were resolved by way of compromise. The only pending proceeding, namely, Crime No.20 of 2022, was instituted by the petitioner's father and, according to the petitioner, arose out of a civil dispute.

4. The learned Assistant Government Pleader for Home filed a counter-affidavit contending that the petitioner has scant respect for law and was involved in the following cases: (i) Crime No.12 of 2017 of Vinjamuru Police Station under Sections 452, 324, 355 and 506 read with Section 34 IPC,

which ended in acquittal on 05.03.2021; (ii) Crime No.166 of 2018 of Vinjamuru Police Station under Section 326 IPC, in which the parties compromised on 28.03.2025; (iii) Crime No.20 of 2022 of Vinjamuru Police Station under Sections 435, 448 and 427 IPC, in which, after completion of investigation, a charge sheet was filed before the Court of the Judicial Magistrate of First Class, Udayagiri, vide C.C. No.365 of 2022, and the said case is pending trial; and (iv) Crime No.82 of 2022 of Vinjamuru Police Station under Sections 448, 427 and 506 read with Section 34 IPC, in which the parties compromised.

5. It is further stated that, in order to curb and curtail the alleged unlawful activities of the petitioner in the vicinity of Vinjamuru Police Station, the Station House Officer of Vinjamuru Police Station, SPSR Nellore District, opened Rowdy Sheet No.60 against the petitioner after obtaining permission from the Sub-Divisional Police Officer, Kavali Sub-Division, vide C.No.20/GL-HS-SDO.K/2022, dated 29.06.2022, and has been continuing the same from time to time. It is also stated that, after the rowdy sheet was opened, the petitioner was involved in another criminal case, namely, Crime No.5 of 2024 under Sections 447, 427, 504 and 153-A IPC of Vinjamuru Police Station, which was charge-sheeted on 27.01.2024 vide C.C. No.44 of 2024 and subsequently compromised on 08.03.2025. The other allegations made by the petitioner against the respondent-police are denied as incorrect, baseless and misconceived.

6. Heard Sri I. Koti Reddy, learned counsel for the petitioner, and Sri R. Mallikarjuna, learned Assistant Government Pleader for Home.

7. Learned counsel for the petitioner submits that respondent No.3 opened the rowdy sheet without following the Police Standing Orders, particularly Order No.601 of the A.P. Police Manual, and that the proceedings opening the rowdy sheet are contrary to the applicable Standing Orders. It is contended

that the petitioner is not a habitual offender, has not been convicted in any criminal case, and is not involved in any other offence apart from the cases referred to in the writ petition and counter-affidavit. According to the learned counsel, the rowdy sheet was opened without adhering to the principles laid down by the Hon'ble Supreme Court and a Co-ordinate Bench of this Court, thereby infringing the petitioner's rights.

8. Per contra, the learned Assistant Government Pleader submits that the rowdy sheet was opened to curb and prevent the petitioner's unlawful activities after obtaining the requisite permission. However, learned Assistant Government Pleader fairly submits that the rowdy sheet may be closed instead of setting aside the proceedings opening the same.

9. The record and the counter-affidavit disclose that Crime No.20 of 2022 was registered against the petitioner for the offences punishable under Sections 435, 448 and 427 IPC at Vinjamuru Police Station. Upon completion of investigation, the police filed a charge sheet, and the said case is stated to be pending. Admittedly, except for the said case, no other case is presently pending against the petitioner. The rowdy sheet was opened on 29.06.2022 vide proceedings No.C.No.20/GL-HS-SDO.K/2022 and has been renewed from time to time. The petitioner was acquitted in Crime No.12 of 2017 of Vinjamuru Police Station for the offences punishable under Sections 452, 324, 355 and 506 read with Section 34 IPC, while Crime No.166 of 2018 and Crime No.82 of 2022 were compromised.

10. In this regard, it is relevant to refer to **B. Satyanarayana Reddy v. State of Andhra Pradesh**[1], wherein it was held that, under Police Standing Order No.742, inclusion of a person's name in a rowdy sheet requires material showing that such person habitually commits or abets offences involving a

[1] 2004 (1) ALD Crl. 50

breach of peace. A solitary instance involving a breach of peace, by itself, is not sufficient to justify such inclusion.

11. In ***Puttagunta Pasi v. Commissioner of Police, Vijayawada***[2], a Division Bench of this Court held that opening rowdy sheets in a routine manner against persons who are not habitual offenders is impermissible. The Division Bench further observed as follows:

> "...it is clear that rowdy sheets cannot be opened against any individual in a casual and mechanical manner. Dubbing a person as a habitual offender and opening a rowdy sheet is not sufficient. On the other hand, due care and caution shall be taken by the Police before characterising a person as a rowdy. The important element that has to be seen in the acts of an offender is whether the acts so committed by a person will have a tendency to disturb public peace and tranquillity."

12. In ***Majid Babu v. Government of A.P.***[3], a Division Bench of this Court, placing reliance on the judgment of the Hon'ble Supreme Court in Vide ***Malak Singh v. State of Punjab***[4], held as follows:

> "When the Police open Rowdy Sheets against persons involving any offences pertaining to breach of peace, they need not communicate the reasons nor are the persons concerned entitled to be heard before the rowdy sheets are opened. Nonetheless, when a complaint is made to the Court that, contrary to the provisions of the Police Standing Order, Rowdy Sheets are opened, the respondents are under a duty to satisfy the Court that the action taken by them accords with the provisions of the Police Standing Orders or any other valid provision of law."

13. It is apposite to mention that the relevant Standing Order No.601 of the A.P. Police Manual and the same is reproduced as follows:

> I. Persons bound over under Sections 106, 107, 108 (1) and 110 (e) and (g) of Cr.P.C.

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[2] (1998) 3 ALT 55
[3] 1987 (2) ALT 904
[4] (1981) 1 SCC 420

II. Persons who have been convicted more than once in two consecutive years under Sections 59 and 70 of the Hyderabad city police Act or under Section 3, Clause 12 of the A.P Town Nuisances Act.

III. Persons who habitually tease women and girls and pass indecent remarks including offences u/s 354-A, B, C and 354 D IPC.

IV. Persons who have been charge sheeted under the offence of Rape (376, 376 A, C, D, E)

V. Persons who have been charge sheeted under the offences of POCSO Act, 2012 and Acid Attacks (326 A and 326 B of IPC)

VI. Rowdy sheets for the rowdies residing one police station area but found frequenting the other Police Stations area, can be maintained at all such police stations.

VII. Persons who intimidate by threats or use of physical violence or other unlawful means to part with movable or immovable properties or in the habit of collecting money by extortion from shopkeepers, traders and other residence including “loan sharks”.

VIII. Persons who incite, instigate and participate in communal/ caste or political riots.

IX. Persons detained under the AP prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 for a period of6 months or more.

X. Persons on whom charge sheets filed under the offence of assault on public servants, under Arms Act and such other offences punishable with imprisonment of 2 years or more.

XI. Persons on whom charge sheets filed under the offence of murder and attempt to murder (302 and 307 IPC).

XII. Persons on whom charge sheets filed under the offence of chain snatching.

XIII. Persons who are convicted under the Representation of People Act,1951 for rigging, carrying away, damaging ballot paper, boxes and polling mațerial.

14. It is not in dispute that, apart from the cases referred to above, the petitioner is not an accused in any other case and has not been convicted in any other case. Standing Order No.601 of the A.P. Police Manual specifies the categories of persons against whom a rowdy sheet may be opened, subject to the conditions contained therein. A reading of the aforesaid

Standing Order shows that it identifies specified categories of persons against whom a rowdy sheet may be opened, subject to the requirements prescribed therein. The categories include persons habitually involved in offences affecting public peace and order, persons involved in specified serious offences, and persons whose activities fall within the other enumerated categories.

15. In the present case, the record and the counter-affidavit disclose only Crime No.20 of 2022 as a presently pending case against the petitioner. This Court expresses no opinion on the merits of the said criminal case and confines its consideration to the legality of opening and continuing the impugned rowdy sheet. The subsequent Crime No.5 of 2024, referred to in the counter-affidavit, was also compromised on 08.03.2025. Therefore, the mere registration of criminal cases, particularly where one case ended in acquittal and two cases were compromised, cannot, without supporting material establishing habitual criminal activity or satisfaction of any specific category under Standing Order No.601, justify the continued branding of the petitioner as a rowdy.

16. In the facts and circumstances of the case, and in the light of the aforesaid decisions and the applicable Standing Orders, this Court is of the considered view that the respondents have not placed any material to show that the petitioner falls within any category contemplated by Standing Order No.601 or that he is habitually involved in criminal activity. The general assertion that the rowdy sheet was opened to curb the petitioner’s alleged unlawful activities, without supporting material demonstrating habitual conduct or any other applicable ground under the Standing Orders, is insufficient to justify its opening or continuation. The filing of a charge sheet in one criminal case, by itself, does not establish that the petitioner is a habitual offender or that the requirements of the Standing Orders are satisfied. Consequently, the opening and continuation of the rowdy sheet cannot be sustained and amount

to an arbitrary exercise of police power. The impugned action is, therefore, liable to be set aside.

17. **In the result,** this Writ Petition is allowed. The respondents are directed to close the rowdy sheet maintained in the name of the petitioner. There shall be no order as to costs.

As a sequel thereto, pending miscellaneous petitions, if any, shall stand closed.

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SUNITHA GANDHAM, J

10.10.2026
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