APHC010709752022

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

FRIDAY, THE 13th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

WRIT PETITION NO: 41894/2022

Between:

1. SANGIREDDY BRAHMANANDA REDDY, S/O.RAMANAJANEYA REDDY, AGED ABOUT 36 YEARS, OCC. AGRICULTURE, R/O.CHENNUR VILLAGE, SIRVEL MANDAL, NANDYAL DISTRICT.

...PETITIONER

AND

1. THE STATION HOUSE OFFICER, SIRVEL POLICE STATION, NANDYAL DISTRICT.
2. THE DEPUTY SUPERINTENDENT OF POLICE, ALLAGADDA, NANDYAL DISTRICT.
3. THE SUPERINTENDENT OF POLICE, NANDYAL, NANDYAL DISTRICT.
4. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPURLMENL, SECRETARIAL, VELAGAPUDI, AMARAVATHI, GUNTUR 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, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the Respondents No.1 to 3 in opening the suspect sheet based on involvement in two Crimes in the year 2010 under the Forest Act and continuing the same even in spite of the Petitioner not involved in any subsequent crimes for the past 12 years and routinely extending the suspect sheet without recording sufficient reasons as

arbitrary, illegal, contrary to Police Standing Order No. 600 and violation of article 21 of the Constitution of India and consequently direct the Respondents No.1 to 3 to close the suspect sheet opened against the Petitioner in the 1st respondent Police Station forthwith 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 Respondent No.1 to 3 not to disturb the personal liberty of the Petitioner on the ground of pendency of the suspect sheet pending disposal of the writ petition and pass

Counsel for the Petitioner:

1. P NAGENDRA REDDY

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

HON'BLE SMT. JUSTICE SUNITHA GANDHAM

WRIT PETITION No:41894 OF 2022

ORDER:

This writ petition is filed to direct the respondents to close the suspect sheet No. 35 opened against him vide C.No. 536/SDPOALG/2014, dated 17.10.2014.

2. As per the version of the petitioner, he was falsely implicated in two crimes in the year 2010 under the provisions of the Forest Act, he was acquitted in both the cases and in the year 2014, respondents Nos. 1 to 3 opened a suspect sheet against him and have been continuing the same and under the guise of the suspect sheet, the respondents have been disturbing his personal liberty by frequently summoning him to the police station, detaining him there for several hours, and visiting his house at midnight under the guise of surveillance and thereby causing disturbance to him and his family members. Further, the respondent No.3 had no authority to open suspect sheet against him and that the impugned action is unsustainable under Order No.600 of the A.P. Police Manual.

3. The learned Assistant Government Pleader for Home filed counter-affidavit contending that the petitioner has scant respect for the law and was involved in two cases i.e., in Crime Nos.56 of 2011 and 107 of 2011 for the offences under Section 379 IPC and Sections 29(1), 68, 29(2)(b) and 20(1)(c) of the Forest Act, 1967 and for violation of Rule 3 of the A.P. Sandalwood and Red Sandal Transit Rules, 1969, and in order to curb and prevent the alleged unlawful activities of the petitioner in the vicinity of Sirvella Police Station, Nandyal District, the Station House Officer of Rudravaram Police Station opened Suspect Sheet No. 09 against the petitioner, after obtaining permission from the Deputy Superintendent of Police, Allagadda Sub-Division, Nandyal District, vide C.No. 52/BC/SDPO-ALG/2014, dated 01.06.2014 and subsequently, the said suspect sheet was transferred to Srivella Police Station

on the ground of jurisdiction, vide C.No. 536/SDPOALG/2014, dated 17.10.2014 and it was renumbered as Suspect Sheet No. 35 and has been continued till date.

4. Heard Sri P. Nagendra Reddy, learned counsel for the petitioner, and Sri R. Mallikarjuna, learned Assistant Government Pleader for Home.

5. Learned counsel for the petitioner submits that the respondents opened the suspect sheet without following the Police Standing Orders, particularly Order No. 601 of the A.P. Police Manual, and that the proceedings opening the suspect sheet are contrary to the applicable Standing Orders. It is further argued that the petitioner is not a habitual offender, has not been convicted in any criminal case, and is not involved in any offence other than the cases referred to in the writ petition. According to the learned counsel, the suspect 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.

6. Per contra, the learned Assistant Government Pleader submits that the rowdy sheet was opened to curb and prevent the petitioner's unlawful activities in the vicinity of Sirvella Police Station, Nandyal District.

7. The record and the counter-affidavit disclose that two criminal cases, namely, Crime Nos. 56 of 2011 and 107 of 2011 were registered against the petitioner and others for the offences stated supra and at the culmination of trial, the petitioner was acquitted in both the cases. Added to it, he has not involved in any other cases. In this regard, it is to be noted that in ***B.Satyanarayana Reddy v. State of Andhra Pradesh***[1], 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

[1]2004 (1) ALD Crl. 50

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

8. 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."

9. 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."

10. It was further observed that two instances would not make a person a habitual offender and that more than two instances should be present before a person can be described as a habitual offender. Merely because a person figures as an accused in two crimes registered by the police, no inference can be drawn that such person is a habitual offender.

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[2](1998) 3 ALT 55

[3]1987 (2) ALT 904

[4](1981) 1 SCC 420

11. It is apposite to refer to Standing Order No. 600(1) of the A.P. Police Manual, which is reproduced below:

> (i) Persons convicted under any section of the Indian Penal Code who are considered likely to commit crime again;
>
> (ii) Persons who have not been convicted but are believed to be addicted to crime;
>
> (iii) Members of criminal gangs or organised criminal syndicates who have been charge-sheeted;
>
> (iv) Communal and caste activists who are known to instigate or organise violence or to spark off communal or caste riots;
>
> (v) Smugglers, hoarders, black-marketers, professional land-grabbers, bootleggers, sand smugglers and persons charged under the Money Laundering Act;
>
> (vi) Persons involved in assaults on public servants; (vii) Persons involved in attempt to murder (Section 307 IPC) and murder (Section 302 IPC);
>
> (viii) Persons involved in chain-snatching;
>
> (ix) Persons externed under the City Police Act or other Acts, such as the Anti-Social and Hazardous Activities (Prevention) Act;
>
> (x) Persons externed under the Anti-Social and Hazardous Activities (Prevention) Act, 1980, and other Acts;
>
> (xi) Persons involved in rape cases under Sections 376, 376A, 376C, 376D and 376E IPC;
>
> (xii) Persons involved in trafficking cases under Sections 370, 370A, 366A, 366B, 372 and 373 IPC, including offences under the Immoral Traffic (Prevention) Act;
>
> (xiii) Persons involved in cases under the Protection of Children from Sexual Offences Act, 2012;
>
> (xiv) Persons involved in cases under Sections 354, 354A to 354D, 326A and 326B IPC;
>
> (xv) Accused persons in multi-level marketing cases/white-collar crimes; and
>
> (xvi) Persons charged under the Unlawful Activities (Prevention) Act.

12. It is not in dispute that, apart from the aforesaid cases, the petitioner is neither an accused in any other case nor has he been convicted in any other case. Standing Order No. 600(1) of the A.P. Police Manual sets out the categories of persons against whom such sheets may be opened. These include persons who have been convicted and are considered likely to commit offences again; persons believed to be addicted to crime; members of criminal gangs or organised criminal syndicates who have been charge-sheeted; persons involved in communal or caste violence; and persons involved in specified serious offences and activities.

13. A reading of the aforesaid Standing Order shows that it identifies specified categories of persons against whom a suspect or rowdy sheet may be opened, subject to the requirements of the Standing Order. The categories include persons addicted to crime, members of criminal gangs or organised crime syndicates, persons involved in communal or caste violence, and persons involved in specified serious offences. In the present case, the record and the counter affidavit disclose only Crime Nos. 56 of 2011 and 107 of 2011, which were registered against the petitioner under Section 379 IPC and Sections 29(1), 68, 29(2)(b) and 20(1)(c) of the Forest Act, 1967, and for violation of Rule 3 of the A.P. Sandalwood and Red Sandal Transit Rules, 1969. Added to it, petitioner acquitted in both the cases.

14. In the facts and circumstances of the case, and in the light of the aforesaid decisions and the applicable Standing Order, 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. 600(1) or that he is habitually involved in criminal activity. The only reason stated by the respondents for opening the suspect sheet is the need to curb the petitioner's alleged unlawful activities in the vicinity of Sirvel Police Station. Such a general assertion, unsupported by material demonstrating the requisite habitual conduct or any other applicable ground under the Standing Order, is insufficient to justify the opening or continuation of the suspect sheet. The mere fact that charge sheets have been filed in the two criminal cases, by itself, does not establish that the petitioner is a habitual offender or that the requirements of the Standing Order are satisfied. In these circumstances, the opening and continuation of Suspect Sheet No. 35 cannot be sustained and amount to an arbitrary exercise of police power and as such, the impugned order is liable to be set aside.

15. **In the result**, this writ petition is allowed, and the respondent are directed to close the suspect sheet No.35 opened against the petitioner vide C.No. 536/SDPOALG/2014, dated 17.10.2014. There shall be no order as to costs.

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

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SUNITHA GANDHAM, J

Date:13.11.2026
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