

APHC010026472022



IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)

[3396]

MONDAY, THE SEVENTEENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA**

**WRIT PETITION NO: 1892/2022**

**Between:**

1. NAGIREDDI SATISH KUMAR @ JAMES, SRI. NAGIREDDI SATISH KUMAR @ JAMES, S/O. RAMULU, HINDU, MALE, AGE 36 YEARS, R/O. NEAR RAMANA KIRANA SHOP, NEAR MOTHER THERESA STATUE, AMUDALA APPALASWAMY COLONY, ELURU, WEST GODAVARI DISTRICT.
2. SRI THUMMALA NAGENDRA BABU, @ BABU, S/O. ESWARARAO, HINDU, MALE, AGE 30 YEARS, R/O. NEAR MOTHER THERESA STATUE, AMUDALA APPALASWAMY COLONY, ELURU, WEST GODAVARI DISTRICT.
3. SRI AADARI SATYANARAYANA @ SATTIBABU,, S/O. NOOKARAJU, HINDU, MALE, AGE 46 YEARS, R/O. NEAR NTR STATUE, AMUDALA APPALASWAMY COLONY, ELURU, WEST GODAVARI DISTRICT.
4. SRI KAREDLA RAMU @ BUDDA RAMU, S/O. LATE APPARAO HINDU, MALE, AGE 35 YEARS, R/O. NEAR VINAYAKA TEMPLE, KOTHURU SUNDARAIHAH COLONY, ELURU, WEST GODAVARI DISTRICT.
5. SRI PULI ANJIREDDI, S/O. LATE NARASIMHAREDDI, HINDU, MALE, AGE 34 YEARS, R/O. NEAR NTR STATUE, AMUDALA APPALASWAMY COLONY, ELURU, WEST GODAVARI DISTRICT.
6. SRI ADARI ESWARARAO, @ NATTI BUJJI, S/O. NOOKARAJU, HINDU, MALE, AGE 42 YEARS, R/O. NEAR NTR STATUE, AMUDALA APPALASWAMY COLONY, ELURU, WEST GODAVARI DISTRICT.

**...PETITIONER(S)**

**AND**

1. STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, (HOME DEPARTMENT), SECRETARIAT, AMARAVATI, GUNTUR DISTRICT.
2. SUPERINTENDENT OF POLICE, ELURU, WEST GODAVARI DISTRICT.
3. SUBDIVISIONAL POLICE OFFICER, ELURU SUB-DIVISION, ELURU, WEST GODAVARI DISTRICT.

4. STATION HOUSE OFFICER, ELURU 1 TOWN POLICE STATION,  
ELURU, WEST GODAVARI DISTRICT.

...RESPONDENT(S):

**Counsel for the Petitioner(S):**

1. P B NARASIMHA MURTY

**Counsel for the Respondent(S):**

1. GP FOR HOME

**The Court made the following:**

**ORDER:**

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

*“.... a Writ of Mandamus declaring the action of respondents particularly the 3<sup>rd</sup> respondent issued proceedings i.e C.No.28/H.Sheet/SDP(E)/2021 dated 10.06.2021 in respect of Cr.No.115/2021 of Eluru I Town PS dated 09.06.2021 in repeatedly insisting petitioners to appear before the 4th respondent for being bound over for maintaining peace and good behavior, as illegal, irregular, irrational, without jurisdiction and violation of the fundamental rights and further pleaded to direct the 4th respondent to close the said proceedings, in the interest of justice.”*

2. Sri P.B.Narasimha Murthy, learned counsel for the Petitioner would submit that except Crime No.115 of 2021 on the file of I Town Police Station, Eluru for the offence under Section 307 read with 34 IPC, no other cases are pending against the Petitioners. Learned counsel would further submit that the Petitioners were falsely implicated in the said case and that the offence alleged against the Petitioners does not relate to breach of public peace and tranquility.

3. Sri V.Farooq, learned Assistant Government Pleader for Home, would submit that, except one crime, there are no other cases pending against the Petitioners.

**4. In Sunkara Satyanarayana Vs. State of Andhra Pradesh<sup>1</sup> a**

Coordinate Bench of this Court held as follows:

*“It is clear that rowdy sheets cannot be opened against any individual in a casual and mechanical manner. Dubbing a person as an habitual offender and to open 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 tranquility”.*

**5.** A perusal of the aforesaid judgment goes to show that, rowdy sheet cannot be opened mechanically and not in a casual manner. In opening a rowdy sheet it is essential that, due care has to be taken by the Respondent Police and, every year the committee has to review whether the rowdy sheet has to be continued or not. The other aspect that has to be seen by the Respondent Police is whether the crimes which are registered against the Accused would come within the purview of disturbing the public peace and tranquility at large. In the case on hand, admittedly, a case in Crime No.115 of 2021 on the file of I Town Police Station, Eluru for the offence under Section 307 read with 34 IPC is pending against the Petitioners and as admitted by the learned Assistant Government Pleader, except the said crime, no other cases are pending against the Petitioners. In such circumstances, continuation of the impugned rowdy sheet against the Petitioners herein would amount to abuse of process of the Court.

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<sup>1</sup> 2000(1) ALD (CrL.) 117 (AP)

6. Accordingly, the Writ Petition is allowed and the impugned rowdy sheet against the Petitioners is hereby set aside. There shall be no order as to costs.

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

Date:17.11.2025  
*Dinesh*

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**Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA**

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

**W.P.No.1892 of 2022**

**Dt.17.11.2025**

*Dinesh*