

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

W.P.No.22550 of 2025

**Between:
Kukkala Raju.**

...Petitioner

AND

**The State of Telangana, Rep. by its Principal Secretary, Home
Department and others.**

...Respondents

JUDGMENT PRONOUNCED ON: 31.08.2026

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE K.SARATH

1. Whether Reporters of Local : Yes/No
newspapers may be allowed to see
the Judgment ?

2. Whether the copies of judgment : Yes/No
may be marked to Law
Reports/Journals

3. Whether Their Lordship/Ladyship : Yes/No
wish to see the fair copy of
judgment

JUSTICE K.SARATH

THE HON'BLE SRI JUSTICE K.SARATH**+ W.P.No.22550 OF 2025****%Dated 31.08.2026****# Kukkala Raju.****...Petitioner*****and*****\$ The State of Telangana Rep. by its Principal Secretary, Home Department and others.****....Respondents****! Counsel for Petitioner : Sri Ramesh Chilla.****^ Counsel for the Respondent
Nos.1, 3 and 4 : Learned Assistant Government
Pleader for Services-Home****^ Counsel for the Respondent
No.2 : Sri C. Raja Shekar Reddy,
Learned Standing Counsel.****< GIST :****> HEAD NOTE :****? Cases referred :**¹ (2019) 19 SCC 710² 2026 SCC OnLine SC 1104³ (2016) 8 SCC 471⁴ (2013) 7 SCC 685⁵ (2022)1 SCC 1⁶ Unreported Judgment passed by the Division Bench of this Court
dated 14.06.2022 in W.P.No.20348 of 2012⁷ (2018) 1 SCC 797⁸ (2023) 7 SCC 536⁹ 2019 SCC OnLine SC 608

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

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.22550 of 2025

(CNR No.HBHC010436812025)

DATE:31.08.2026

Between:

Kukkala Raju.

...Petitioner

AND

The State of Telangana, Rep. by its Principal Secretary,
Home Department and others.

...Respondents

ORDER:

Heard Sri Ramesh Chilla, learned Counsel for the petitioner, learned Assistant Government Pleader for Services (Home) appearing for the respondent Nos.1, 3 and 4, Sri C. Raja Shekar Reddy, learned Standing Counsel for the respondent No.2-Telangana State Level Police Recruitment Board and perused the material available on record.

Contentions of the petitioner:

2. Learned Counsel for the petitioner submits that the petitioner is questioning the action of the respondent No.2 in

issuing the memorandums *vide* Rc.No.78/Rect./Genl.1/2020 dated 22.02.2021 and Rc.No.30/Rectt./Genl.1/2024 dated 25.06.2025 under 2018 and 2022 notifications respectively, and not sending the petitioner for training to the post of Stipendiary Cadet Trainee Police Constable (Civil) [SCT PC (Civil)] or Stipendiary Cadet Trainee Police Constable, Telangana State Special Police (For brevity 'SCT PC (TSSP)) in pursuance to the respective Notifications as illegal and arbitrary and consequently set aside the said Memorandums by directing the respondents to consider the petitioner's candidature for the post of SCT PC (Civil) in Warangal selected under 2018 Notification, with all consequential benefits including seniority.

3. Learned Counsel for the petitioner further submits that the petitioner was selected for the post of SCT PC (Civil) in Warangal pursuant to Notification Rc.No.88 & 90/Rect./Admn-1/2018 dated 31.05.2018 and after verification, the respondents issued a memorandum confirming that the petitioner would join training in the next batch on 28.02.2020. However, during medical test on

06.10.2020 at Khammam Area Hospital, a colour vision issue was reported and he was referred to Sarojini Devi Eye Hospital, Hyderabad. On 20.10.2020, the hospital authorities have confirmed the problem leading to cancellation Memorandum dated 22.02.2021. Due to suffering from jaundice and COVID-19 at that time are likely affected the results and a private hospital later certified that there was no colour vision defect.

4. Learned Counsel for the petitioner further submits that the petitioner again applied in pursuance to Notification for the year, 2022 and selected for the post of SCT PC (TSSP). After being provisionally selected, the petitioner filled up the attestation form and disclosed with regard to registration of Crime No.27 of 2009 for the offences under Sections 302, 307, 506 read with 34 IPC on the file of Tadvai Police Station, Warangal District and he was declared fit in the medical test. However, he was not called for training by the respondents in view of involvement in criminal case. On 12.08.2024, a show cause notice was issued regarding the criminal case and the petitioner responded with all details by informing that at the

time of said crime he was minor and the said crime was registered as CC No.105 of 2009 on the file Principal Magistrate, Juvenile Justice Board, Warangal, wherein the petitioner was acquitted vide Judgment dated 01.02.2012. In spite of the same, the respondents have not taken into account of the same and passed impugned Memorandum dated 25.06.2025 citing as “Moral Turpitude” due to the criminal case.

5. Learned Counsel for the petitioner further submits that the inconsistent action of the respondents in permitting the candidature in Notification, 2018 and rejecting it in Notification, 2022 despite full disclosure and repeated medical examinations, certificates of fitness constitute harassment and an abuse of process and it infringes upon the petitioner’s fundamental rights under Articles 14, 16 and 21 of the Constitution of India. The allegation of “Moral Turpitude” is baseless as the petitioner was never convicted and the respondents have to appoint the petitioner without reference to involvement in criminal case as Juvenile and

requested to allow the writ petition by directing the respondents to issue posting order to the petitioner.

6. Learned Counsel for the petitioner relied upon the following Judgments:

(i) Union of India vs. Ramesh Bishnoi¹,

(ii) Gajula Thirupathi vs. Telangana State Level Police Recruitment Board².

Contentions of the respondents:

7. Learned Standing Counsel appearing for the respondent No.2, basing on the counter affidavit, submits that pursuant to the Recruitment Notification dated 31.05.2018, the petitioner was provisionally selected subject to verification of antecedents, certificates and medical fitness. During verification of antecedents, the Commissioner of Police, Khammam, informed *vide* report dated 30.01.2020 that the petitioner did not mention with regard to involvement in the criminal case in the Attestation Form, but during re-enquiry it revealed that he was not involved in any criminal case in

¹ (2019) 19 SCC 710

² 2026 SCC OnLine SC 1104

Khammam Police Commissionerate. The petitioner was referred for medical examination on 06.10.2020 and found to have “Defective Colour Vision”. The Medical Board of Sarojini Devi Eye Hospital declared him unfit due to “Colour Vision Defect” on 20.10.2020. In view of the same, his provisional selection under the Notification, 2018 was cancelled *vide* impugned Memorandum dated 22.02.2021.

8. Learned Standing Counsel further submits that the petitioner again participated in the Notification for the year, 2022 and selected subject to verification. It was reported by the Intelligence Department that the petitioner was involved in Crime No.27/2009 under Sections 302, 307, 506 r/w 34 IPC registered at Tadvai Police Station alleging that on 04.04.2009, the petitioner’s sister lodged a complaint stating that the petitioner and his father attacked her and her mother with a knife and stick resulting her mother’s death on the spot. In the said case, the petitioner was acquitted as the material witnesses did not support the prosecution case.

9. Learned Standing Counsel further submits that the Government constituted a Screening Committee and deferred

the petitioner's case. A show cause notice was issued on 12.08.2024, to which the petitioner submitted his explanation on 23.08.2024. As per Rule 3(F) of the Telangana Police (Stipendiary Cadet Trainee) Rules, 1999 amended *vide* G.O.Ms.No.97, Home (Legal.II) Department, dated 01.05.2006, no person shall be eligible for appointment unless he satisfies the authority that his character and antecedents are such as to qualify him for such service. As per Rule 3(G)(vi), involvement of a person in a case of moral turpitude is a disqualification for appointment. The petitioner along with his father has committed the offence and murdered his own mother. Though he was a juvenile, he was old enough to understand the consequences. The petitioner was involved in a heinous offence of murder of his own mother and attempt to murder of his sister. Acquittal by the Juvenile Justice Board was not a case of clean acquittal on merits as the complainant and other material witnesses turned hostile. In view of the same, his selection under the Notification, 2022 was cancelled *vide* impugned

Memorandum dated 25.06.2025 and requested to dismiss the writ petition.

10. Learned Standing Counsel appearing for the respondent No.2, in support of his contentions, relied upon the following Judgments:

- (i) **Avtar Singh vs. Union of India and others³,**
- (ii) **Commissioner of Police vs. Mehar Singh⁴,**
- (iii) **Union of India vs. Methu Meda⁵,**
- (iv) **Government of Andhra Pradesh vs. B. Sandeep⁶,**
- (v) **Union Territory, Chandigarh Administration and others vs. Pradeep Kumar and another⁷,**
- (vi) **Satish Chandra Yadav vs. Union of India⁸.**

Consideration and Findings:

11. After hearing both sides and perusing the entire material on record, this Court is of the considered view that

³ (2016) 8 SCC 471

⁴ (2013) 7 SCC 685

⁵ (2022)1 SCC 1

⁶ Judgment passed by the Division Bench of this Court dated 14.06.2022 in W.P.No.20348 of 2012 (Unreported)

⁷ (2018) 1 SCC 797

⁸ (2023) 7 SCC 536

the petitioner was initially selected as SCT PC (Civil) in Warangal in pursuance of the Notification Rc.No.88/Rect./Admn-1/2018 dated 31.05.2018. At the time of medical examination, the petitioner was declared as medically unfit on the ground of defective colour vision and the respondents have cancelled his provisional selection vide impugned Memorandum dated 22.02.2021. The counter averments of the respondent No.2 shows that at the time of verification, it was found that the petitioner was involved in a criminal case and called for a report from the Commissioner of Police, Khammam. In response to the same, the Commissioner of Police, Khammam, submitted a report dated 30.01.2020 stating that the petitioner is not involved in any criminal case in Khammam Police Commissionerate Jurisdiction. In view of the same, on the ground of defective colour vision, the respondents have cancelled the selection of the petitioner.

12. The representations dated 21.12.2019 and 04.01.2021 filed by the petitioner to the respondent No.2-Board, at page Nos.133 and 134 of the writ petition, clearly shows that the

petitioner without disclosing the criminal case registered against him before the Police Station Tadvai, which is situated in Warangal District, submitted attestation form and it amounts to suppression of fact. In spite of that the respondent authorities have issued impugned Memorandum dated 22.02.2021 on the ground of colour blindness. The petitioner without questioning the said Memorandum dated 22.02.2021 till cancellation of his provisional selection for subsequent Notification filed this writ petition questioning the Memorandum dated 22.02.2021. In the instant writ petition, at this stage, the question of setting aside the cancellation of provisional selection of the petitioner vide Memorandum dated 22.02.2021 does not arise on the ground of delay and latches as well as suppression of fact in the attestation form by not disclosing of criminal case.

13. The petitioner again appeared for the Notification Rc.No.41/Rect./Admn.1/2022 dated 25.04.2022 and selected for the post of SCT PC (TSSP), but the respondents have not sent him for training and issued a show cause notice to the petitioner on 12.08.2024 on the ground that the petitioner

was involved in Cr.No.27 of 2009 under Section 302, 307, 506 read with Section 34 IPC on the file of Tadvai Police Station. In response to the same, the petitioner submitted explanation stating that at the time of the said crime, the petitioner was minor and the case was ended with acquittal in C.C.No.105 of 2009 on the file of the Principal Magistrate, Juvenile Justice Board, Warangal dated 01.02.2012. Thereafter, the respondents have passed the impugned Memorandum on 25.06.2025.

14. The contention of the petitioner is that in earlier recruitment notification, the respondents have cancelled the selection of the petitioner on the ground of defective colour vision and in the subsequent recruitment notification, the respondents have cancelled the selection of the petitioner on the ground that the petitioner was involved in the criminal case as a Juvenile and it comes under moral turpitude. The competent Court acquitted the petitioner and the same was disclosed in the attestation form. As per the Juvenile Justice (Care and Protection of Children) Act, 2015, all past records of a minor should be erased and without taking into account

of the same, the respondents have cancelled the selection of the petitioner.

15. On the other hand, the contention of the respondents is that the petitioner was involved in criminal case, which is a heinous crime i.e., murder of the mother of the petitioner and also attempt to murder of the sister of the petitioner. In view of the same, the petitioner cannot take shelter under Juvenile Justice (Care and Protection of Children) Act, 2015 for appointment of the Police Constable.

16. The operative portion of the Judgment in C.C.No.105 of 2009 on the file of the Principal Magistrate, Juvenile Justice Board, Warangal dated 01.02.2012 is extracted as under:

“Though the learned prosecutor relied on the evidence of P.Ws 1 to 4 coupled with Exs.P1 to P7, on perusal of the evidence of P.Ws.1 to 3, P.W.1 is the defacto complainant. P.Ws.2 and 3 are the eye witnesses to the incident, but none of the witness deposed the involvement of JCL in the present case except the prosecution marked Ex.P2 to P4 and statements u/s.161 Cr.P.C., by P.Ws.1 to 3 and that learned prosecutor also relied on the evidence of P.W.4 who is Investigating Officer and his evidence may be corroborated with regard to apprehension of JCL, recording panchanama and registering of case, but at the same time the evidence of P.W.4 is not alone sufficient to make the JCL liable in the present crime. Added to that when the material witness did not support to the version of prosecution, the evidence of PW-4 is no where helpful to the case of prosecution.

On considering the evidence of PWs.1 to 4 coupled with Ex.P1 to P7 the prosecution have not put forth any valid and cogent reasons to believe the confession of JCL and seizure of the case property from the possession of JCL and the prosecution failed to prove the guilt of Juvenile beyond reasonable doubt.”

17. The operative portion of the impugned order dated 25.06.2025 is extracted as under:

“The explanation submitted by Sri Kukkala Raju (Reg.No.1102862) has been examined along with the connected records. He along with his father committed the offence and murdered his own mother. Though he was Juvenile but he was old enough to understand the consequences and evil that would follow his action. His involvement was in a heinous offence and the victim/deceased was his own mother. A perusal of the Trial Court Judgment (Principal Magistrate, Juvenile Justice Board, Warangal) shows that the complainant and other material witnesses not supported the case of prosecution and the court acquitted him vide Judgment dated 01.02.2012. It is not a case of clean acquittal on merits. The candidate is found not suitable for the police Job.

The Hon’ble Supreme Court in Civil Appeal No.4842/2013 between Commissioner of Police, New Delhi & another vs. Mehar Singh held that;

“The Police force is a disciplined force. It shoulders the great responsibility of maintaining law and order and public order in the society. People repose great faith and confidence in it. It must be worthy of that confidence. A candidate wishing to join Police Force must be a person of utmost rectitude. He must have impeccable character and integrity. A person having criminal antecedent will not fit in this category. Even if he is acquitted or discharged in the criminal case, that acquittal or discharge order will have to be examined to see whether he has been completely exonerated in the case because even a possibility of his taking to the life of crimes poses a threat to the discipline of the Police Forces”.

As per Rule 3 (F) of the SCT Rules, no person shall be eligible for appointment to any service by direct recruitment unless he satisfies the selection authority as well as the appointing

authority that his character and antecedents are such as to qualify him for such service.

7. Further, as per rule 3(G)(vi) of the SCT Rules issued vide G.O.Ms.No.97 of Home (Legal-II) Dept. dated 01.05.2026 involvement of a person in a case of Moral Turpitude is a disqualification for appointment.

18. The Hon'ble Supreme Court in **State Bank of India vs.**

P. Soupramaniane⁹, deals with moral turpitude and the relevant portion as follows:-

“13. Ordinarily, the tests that can be applied for judging an offence involving moral turpitude are:

- a) Whether the act leading to a conviction was such as could shock the moral conscience or society in general;
- b) Whether the motive which led to the act was a base one, and
- c) Whether on account of the act having been committed the perpetrators could be considered to be of a depraved character or a person who was to be looked down upon by the society.

14. The other important factors that are to be kept in mind to conclude that an offence involves moral turpitude are :- the person who commits the offence; the person against whom it is committed; the manner and circumstances in which it is alleged to have been committed; and the values of the society.

The above findings of the Hon'ble Supreme Court squarely apply to the facts of the instant case as the act leading to a conviction could shock the moral conscience or society in general.

⁹ 2019 SCC OnLine SC 608

19. As per para Nos. 13 and 14 of the Judgment in **State Bank of India's** case (9 supra), the involvement of the petitioner in the criminal case amounts to moral turpitude as the petitioner was accused along with his father on the allegation of murder of his mother and also attempt to murder of his sister. In view of the same, the involvement of the petitioner in criminal case comes under moral turpitude as per Rule 3(G)(vi) of Telangana Police (Stipendiary Cadet Trainee) Rules, 1999 and amendments issued in G.O.Ms.No.97 Home (Legal-II) dated 01.05.2006.

20. Learned counsel for the petitioner vehemently contended that at the time of incident, the petitioner was a Juvenile and as per the Judgment of the Hon'ble Supreme Court in **Union of India's** case (1 supra), even if the petitioner has committed the crime, the same could not have been deprived of getting a job as per the Juvenile Justice (Care and Protection of Children) Act, 2015.

21. Learned counsel for the petitioner also relied on Section 3 (xiv) of the Juvenile Justice (Care and Protection of Children) Act, 2015, which reads as under:

3. (xiv) Principle of fresh start: All past records of any child under the juvenile justice system should be erased except in special circumstances.

As per the above Section, in special circumstances, the principle of fresh start cannot apply. The petitioner was involved in a criminal case of murder of his mother and attempt to murder of his sister and the past records of the petitioner cannot be erased for appointment of the petitioner as Police Constable as special circumstances.

22. The Judgment relied on by the learned counsel for the petitioner in **Union Bank of India's** case (1 supra) and **Gajula Thirupathi's** case (2 supra) are not apply to the facts of the case. At the time of first recruitment notification, the petitioner has suppressed the fact and in the subsequent notification the respondents have rejected the case of the petitioner on the ground of moral turpitude. The impugned Memorandums issued by the respondent No.2 for cancellation of provisional selection of the petitioner for the post of SCT PC (Civil) and SCT PC (TSSP) are in consonance with the Special Rules.

23. The learned Standing Counsel for the respondent No.2 relied on a number of Judgments, but only some of them apply to the facts of the instant case and the other Judgments do not apply to the facts of the case.

24. In view of the above circumstances, there are no valid grounds to interfere with the impugned Memorandums issued by the respondent No.2 on the ground of involvement of the petitioner in criminal case amounts to moral turpitude and there are no merits in the writ petition and the writ petition is liable to be dismissed.

25. Accordingly, the Writ Petition is dismissed as devoid of merits. There shall be no order as to costs.

26. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

JUSTICE K.SARATH

Date:31.08.2026.

Note:LR copy to be marked.

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