

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 33997 of 2014 (Y)

PETITIONER(S):

**MOHAN KUMAR, AGED 47 YEARS,
S/O.KRISHNAN, CHATHAMKULAM, FORT CHARIAT,
G - 3, GROUND FLOOR, VRINDAVAN COLONY,
PALAKKAD.**

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT(S):

- 1. THE SUPERINTENDENT OF POLICE,
PALAKKAD - 678 001.**
- 2. THE SUB INSPECTOR OF POLICE,
KOTTAYI POLICE STATION, PALAKKAD, PIN - 678 572.**

BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 33997 of 2014 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A TRUE COPY OF THE REPRESENTATION DATED 30.03.2014 SUBMITTED
BY THE PETITIONER BEFORE THE FIRST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 33997 of 2014

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Dated, this the 7th day of January, 2015

JUDGMENT

The grievance of the petitioner is with regard to the inaction on the part of the first respondent in considering the request made by the petitioner vide Ext. P1 to issue proper orders to the Station House Officer, Kottayi Police Station to remove his name from the history sheet maintained in the said police station. Admittedly, the petitioner was accused in various crimes registered against him under the different provisions of law, some of which also included offence under Section 302 of IPC.

2. The learned counsel for the petitioner points out that the petitioner has already proved his innocence and that in all the cases he stands acquitted. The petitioner is stated as leading a very peaceful life and it is no longer necessary to continue his name in the list/history maintained in the Kottayi Police Station.

3. The learned Government Pleader points out that the last crime committed by the petitioner was in the year 2002. It is true that the petitioner was acquitted in all the cases, but for Crime No. 37 of 1999 of Kottayi Police Station involving offence under Section

106 of IPC. It is also pointed out that the co-accused of the petitioner was recently found engaged in money laundering business and that the activities of the petitioner were also closely watched in this regard. In response to the submission made by the learned Government Pleader, the learned counsel for the petitioner submits that the offence involved in Crime No. 37 of 1999 is only under Section 160 of IPC and that the petitioner has satisfied the fine for the said offence.

4. Considering the fact and circumstances, this Court does not find it necessary to deal with the merits of the case, but for directing the first respondent to consider and pass appropriate orders on Ext. P1 representation, in accordance with law, as expeditiously as possible at any rate, within two months from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the first respondent for further steps.

The Writ Petition is disposed of.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd