



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P. (MD) No.6871 of 2015

Veerabathran

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Deputy Superintendent of Police,
Kumbakonam Taluk,
Kumbakonam.

3.The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(History Sheet No.35 of 2013)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent herein to remove the petitioner's name in the history sheet No.35 of 2013 on the file of the third respondent within a time stipulated by this Court.

For Petitioner : Mr.V.Achuthan
For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

O R D E R

The petitioner has come forward to file this Writ Petition seeking a Writ of Mandamus directing the second respondent herein to remove the petitioner's name in the history sheet No.35 of 2013 on the file of the third respondent within a stipulated time.

2.The petitioner was said to be involved in two criminal cases in Crime No.100 of 2013 for the offences under Sections 147, 294(b), 323 of I.P.C and Sections 3(1)(X) of SC/ST Act and in Crime No.102 of 2013 under Section 107 Cr.P.C. Insofar as the first case is concerned, in S.C.No.96 of 2013 on 11.08.2014, the petitioner was acquitted and the second case is concerned, the same is only a proceedings under Section 107 Cr.P.C. Apart from the cases referred to above, there is no other case pending against the petitioner. The history sheet is opened against the petitioner on 08.05.2013 and thereafter, no review was done.



3. The learned counsel for the petitioner submitted that there is absolutely no basis for continuing the history sheet against the petitioner.

4. The learned Additional Government Pleader appearing for the respondents submitted that a direction may be issued to the respondents to consider the representation of the petitioner, dated 27.01.2015.

5. It is seen that the history sheet was opened against the petitioner on 08.05.2013 and subsequently, no review was done. Further, the cases referred to above were registered in the year 2013 and in one case, the petitioner was acquitted and the second case was only a proceedings under Section 107 Cr.P.C. Therefore, this Court does not find any justification whatsoever to continue the history sheet. Accordingly, a direction is issued to the respondents to remove the petitioner's name from the history sheet No.35 of 2013 pending on the file of the third respondent police, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thanjavur District, Thanjavur.

2. The Deputy Superintendent of Police,
Kumbakonam Taluk, Kumbakonam.

3. The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.

+1cc to MR.V.ACHUTHAN, ADVOCATE IN SR : 26645

+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 26657

Pm

SR/SJW : 08.06.2015 : 2p/6c

W.P. (MD) No.6871 of 2015
01.06.2015