



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.(MD) No.12654 of 2016

and

WMP(MD) No.9585 & 9586 of 2016

Kamalarasan

... Petitioner

-vs-

1. The Deputy Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

2. The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent in History Sheet No.94/2008 dated 18.12.2008 and quash the same and consequently, direct the 1st respondent to close the History Sheet.

For Petitioner : Mr.M.Subash Babu

For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

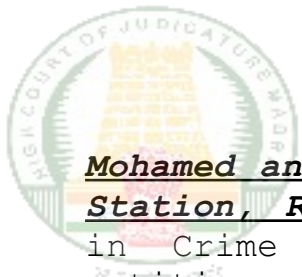
O R D E R

The writ petition has been filed, seeking to quash the History Sheet No.94 of 2008 dated 18.12.2008 with the consequential direction to the 1st respondent to close the History Sheet.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The petitioner is an accused in Kenikarai Police Station Crime Nos.130 of 2008 (under **Sections 147, 148, 341, 323, 324 and 307 IPC**) and 481 of 2008 (under Sections **147, 148, 323, 324 and 307 IPC**).

4. Learned counsel for the petitioner has submitted that both the cases ended in acquittal, thereby there is no case pending as against the petitioner as of now. Learned counsel for the petitioner also brought to the notice of this Court the judgment rendered on **23.12.2008 in Cr1.O.P.(MD) No.12386 of 2008 (Noor**



Mohamed and others vs. The Inspector of Police, Kenikarai Police Station, Ramanathapuram District and another wherein, the case in Crime No.481 of 2008 has been quashed as against the petitioner, based on the compromise arrived at between the parties therein. He would further submit that there is no justification with the respondents in not closing the history sheet even after acquittal of the petitioner

5. Learned Additional Government Pleader appearing for the respondents would submit that the petitioner has not submitted any representation in writing to the respondents and in the event of the petitioner presenting any representation, the respondents are prepared to consider the same positively.

6. In view of the submission made by the learned Additional Government Pleader, the petitioner is directed to submit a representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of any such representation, the respondents are directed to consider the representation to be filed by the petitioner and pass suitable orders thereon on merits and in accordance with law within a period of two weeks thereafter in the light of the judgment in Crl.O.P.(MD)No.12386 of 2008 (supra).

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/
Assistant Registrar(T & P)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Deputy Superintendent of Police,
Ramanathapuram, Ramanathapuram District.
2. The Inspector of Police, Kenikarai Police Station,
Ramanathapuram District.

+1cc to M/S.M.Subash Babu,Advocate in SR.No.46428.

+1cc to Special Government Pleader, in SR.No.46534.

W.P. (MD)No.12654 of 2016
and WMP(MD)No.9585 & 9586 of 2016
22.08.2016

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