

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 29.04.2019****CORAM****THE HONOURABLE MR. JUSTICE B.PUGALENDHI****W.P. (MD) .No.15856 of 2015**

WEB COPY

P.Kannan

... Petitioner

Vs.

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

2.The Inspector of Police,
Thenthamaraikulam Police Station,
Kanyakumari.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondent No.1 to delete the name of the petitioner from the history sheet in Rowdy List on the file of the respondent No.2 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.R.Anantharaj

Additional Public Prosecutor

ORDER

This petition has been filed for issuance of writ of mandamus directing the respondent No.1 to delete the name of the petitioner from the History sheet in Rowdy list on the file of the Inspector of Police, Thenthamaraikulam Police Station, Kanyakumari District.

2.The respondent police has filed a counter affidavit, wherein they have taken a specific stand that the petitioner is involved in Crime No.9 of 2006 for the offences punishable under Sections 148, 447, 294(b) and 427 IPC and 3(1) of TNPPDL Act @ 147, 447, 379 (NP) IPC @ 147, 447, 294(b), 427 and 506(i) IPC, which was also charge sheeted and pending in C.C.No.138 of 2006 and also in Crime No.73 of 2010 for the offences punishable under Sections 341, 294(b), 506(ii) IPC, which was pending in C.C.No.133 of 2014. The learned Additional Public Prosecutor, today, on instructions from the respondent police would submit that the case pending against this petitioner in C.C.No.138 of 2016 on the file of the learned Judicial Magistrate No.I, Nagercoil was ended in acquittal on 10.09.2007 and the other case pending against the petitioner in C.C.No.133 of 2014 on the file of the learned Judicial Magistrate No.III, Nagercoil was also ended in acquittal on 29.07.2010.



3. According to the petitioner, apart from these two cases, he is not involved in any other case and no case is pending against him as on date.

4. The learned Additional Public Prosecutor has also confirmed the said position and has further stated that since the petitioner is not indulged in any other activities, a proposal has already been sent to the first respondent to delete the name of the petitioner from the history sheet and the same is pending for consideration.

5. In such view of the stand taken by the respondent police, no further order is required to be passed in this matter and accordingly, this petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Kanyakumari,
Kanyakumari District.
2. The Inspector of Police,
Thentharamaikulam Police Station,
Kanyakumari.
3. The Judicial Magistrate No.1,
Nagercoil
4. The Judicial Magistrate No.3,
Nagercoil
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

W.P. (MD) .No.15856 of 2015

29.04.2019

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