

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.5089 of 2020

Yuvaraj

... Petitioner

Vs

1. The Commissioner of Police,
Salem City,
Sankagigi Main Road, Annadanapatti,
Salem 636002.

2. The Inspector of Police,
Alagapuram Police Station,
Alagapuram Pudur, Salem 636004.

... Respondents

Prayer:- This Criminal Original Petition filed under Article 226 of the Constitutional India., direct the respondents 1 and 2 to consider the representations of the petitioner dated 27.03.2019, 13.12.2019 and 06.02.2020 and to direct the 2nd respondent to remove the name of the petitioner in the History Sheet No.159 of 2009 on his file.

For Petitioner : Mr.N.Anbazzhagan

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to consider the representations of the petitioner dated 27.03.2019, 13.12.2019 and 06.02.2020 and to direct the 2nd respondent to remove the name of the petitioner in the History Sheet No.159 of 2009 on their file.

2. The case of the petitioner is that he is a law graduate, who completed law degree in the year 2015 but not yet enrolled himself in the Bar Council of Tamil Nadu. In the year 2007, when he was studying degree course (B.A. History) in the Government Arts College, Salem, there was a quarrel between the students in connection with ragging and one Santhakumar, who was allegedly

injured in the said incident, gave a complaint against him and others and in that, it was stated that he beat the said Santhakumar with cycle chain and caused injury on his back. On the basis of the said complaint, an FIR.No.107 of 2007 was registered on the file of Asthampatti Police Station for the offences under Sections 147, 148 and 324 IPC and the said complaint culminated into C.C.No.11 of 2008 on the file of Judicial Magistrate No.III, Salem and in the said case, by judgement dated 11.07.2008, he was released on executing a bond for Rs.2000/- under Section 4(1) of the Probation of Offenders Act with a direction that he should remain under the supervision of the Probation Officer for a period of one year.

3. Since he has continuously been in the History sheet, he is not able to enroll himself as an advocate, even though he completed his law degree in the year 2015 itself. He submitted that in all the three cases which were foisted against him, he was released or discharged by the Court of law and apart from the above said three cases, no case has been registered or pending against him or there are no instances of bad character against him. Under these circumstances, he request that this Court may be pleased to remove the name of the petitioner in the History sheet No.159 of 2009 on the file of the 2nd respondent Police by considering his representations dated 27.03.2019, 13.12.2019 and 06.02.2020.

4. Heard, the learned counsel for the petitioner and the learned Additional Public prosecutor appearing for the respondents.

5. Without expressing any opinion on merits, I am inclined to issue a direction to the 1 & 2nd respondents to dispose of the Petitioner's representations dated 27.03.2019 & 13.12.2019 & 06.02.2020, within a period of twelve weeks from the date of receipt of a copy of this order. With the above direction, the CrI.O.P is disposed of.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

dua/kmm
To

1. The Commissioner of Police,
Salem City,
Sankagigi Main Road, Annadanapatti,
Salem 636002.

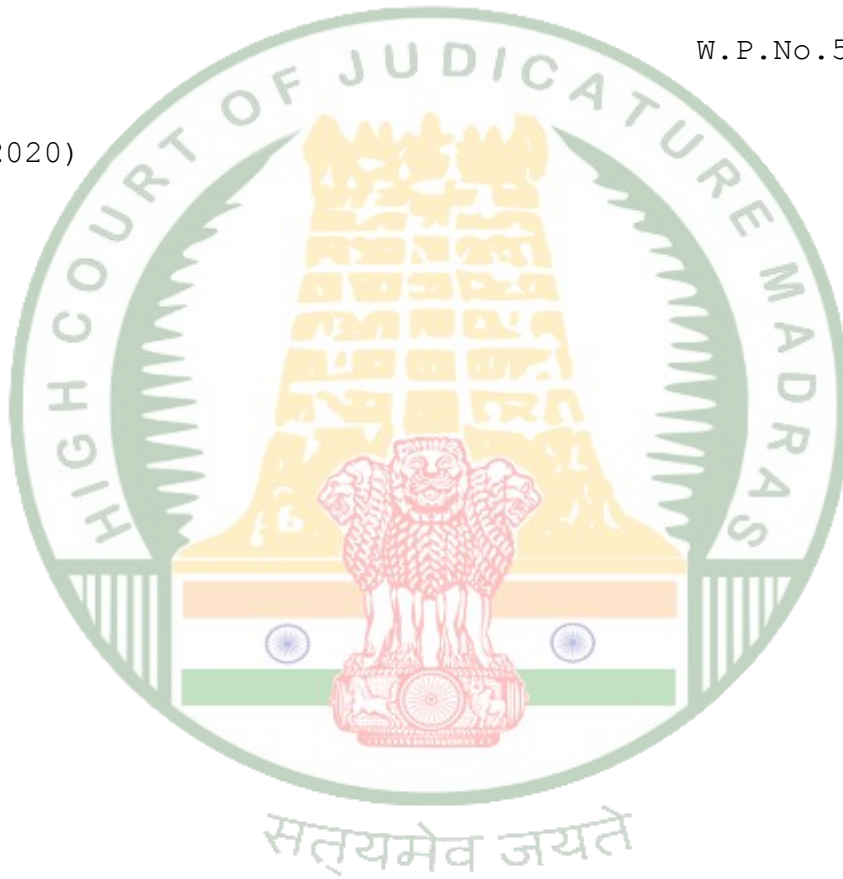
2. The Inspector of Police,
Alagapuram Police Station,
Alagapuram Pudur, Salem 636004.

3. The Public Prosecutor
High Court, Madras 104.

+1 CC to Mr.N.Anbazhagan, Advocate sr 20479.

W.P.No.5089 of 2020

VSNI (CO)
SP (20/07/2020)



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