

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

Cr1.O.P.No.15717 of 2020

P.Kanagaraj,
S/o, Ponnusamy,
No.77, I.O.P. Colony,
Coimbatore North,
Coimbatore - 641 046.

...Petitioner

-Vs-

The State Represented by its,

1. The Superintendent of Police,
Namakkal,
Namakkal District - 637 003.
2. The Deputy Superintendent of Police,
Erode Road, Market Place,
Tiruchengode,
Namakkal District - 637 003.
3. The Inspector of Police,
Tiruchengode Town Police Station,
Tiruchengode,
Namakkal District - 637 211.

...Respondents

Prayer:Criminal Original Petition filed under section 482 of Criminal Procedure Code, to issue direction under section 482 of Cr.P.C. and pass any appropriate order or direction directing the respondents to remove the petitioner's name from the history sheet opened in his name, P.Kanagaraj, S/o, Ponnusamy in 359/1999 on the file of the 3rd respondent.

For Petitioner : Mr.S.Manoharan
For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been laid by the petitioner seeking for a direction to the respondents to remove his name from the history sheet in H.S.No.359 of 1999 on the file of the third respondent.

2. According to the petitioner, the case in Crime No.553 of 1998 has been laid against him by the respondent police and finally he has been acquitted in the said case by the Hon'ble Supreme Court and he has been living with his family and developed good habits and character and received a good reputation amongst the public. Despite the position being above, the respondent police have not endeavored to remove his name from the history sheet in H.S.No.359 of 1999 on the file of the third respondent and the retention of his name in the abovesaid history sheet would spoil his good reputation amongst the public and also affect his family and hence putforth that he had sent a representation to the respondents on 13.08.2020 to delete his name from the history sheet in H.S.No.359 of 1999 and no action has been taken with reference to the same and hence according to him, he has been necessitated to lay the Criminal Original Petition for appropriate reliefs.

3. At the time when the matter is taken up for hearing, it is represented by the Additional Public Prosecutor that the counter affidavit has been filed by the respondent police and further she would also submit that the representation given by the petitioner dated 13.08.2020 has to be considered and disposed of by the Superintendent of Police, Namakkal and accordingly putforth that a suitable direction may be given to the Superintendent of Police, Namakkal to consider the representation given by the petitioner and pass appropriate orders as per law.

4. The counsel for the petitioner also represented that it would suffice if the representation is considered by the appropriate authority and orders passed in accordance with law.

5. Taking into consideration of the abovesaid factors and in the fitness of things, I deem it proper and expedient in the interest of justice, to give a direction to the Superintendent of Police, Namakkal to consider the representation given by the petitioner and dispose of the same as per law.

6. In the light of the abovesaid factors, the Superintendent of Police, Namakkal is directed to consider the representation given by the petitioner dated 13.08.2020 seeking for the deletion of the petitioner's name from the history sheet in H.S.No.359 of 1999 and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Superintendent of Police,
Namakkal,
Namakkal District - 637 003.
2. The Deputy Superintendent of Police,
Erode Road, Market Place,
Tiruchengode,
Namakkal District - 637 003.
3. The Inspector of Police,
Tiruchengode Town Police Station,
Tiruchengode,
Namakkal District - 637 211.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.15717 of 2020

NRJK(CO)
KKV/05/01/2021

सत्यमेव जयते

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