

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

Crl.O.P.No.15774 of 2020

Rajendran,
S/o, Veeramuthu,
Sanniyasi Nallur Village,
Senthurai Taluk,
Ariyalur District.

...Petitioner

-Vs-

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

2. The Sub Inspector of Police,
Thalavoy Police Station,
Ariyalur District.

...Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to Criminal Original Petition filed under section 482 of Criminal Procedure Code, to pass an order of direction, directing the respondents to remove the history sheet H.S.No.7 of 2019 maintained against the petitioner, pending on the file of the Sub Inspector of Police, Thalavoy Police Station, Ariyalur District, the second respondent herein by considering the representation dated 17.09.2020 on the file of the first respondent herein.

For Petitioner : Mr.M.Velmurugan

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.7 of 2019 on the file of the second respondent.

2. According to the petitioner he is not involved in any criminal case in any police station in Ariyalur District and however, without any basis, the second respondent has been falsely foisting the cases against him and opened the history sheet in H.S.No.7 of 2019 and also endeavored to initiate proceedings under section 110 Crpc. However, according to the petitioner, when he has not involved in any criminal case and no case is pending against him, the action of the second respondent in maintaining the history sheet is illegal and liable to be quashed. In such circumstances, according to the petitioner, though he has submitted the representation dated 17.09.2020 to the Superintendent of Police, Ariyalur District to remove his name from the history sheet, the same has not been considered and orders passed by the Superintendent of Police Ariyalur District. 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 17.09.2020 has to be considered and disposed of by the Superintendent of Police, Ariyalur and accordingly put forth that a suitable direction may be given to the Superintendent of Police, Ariyalur 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, Ariyalur 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, Ariyalur is directed to consider the representation given by the petitioner dated 17.09.2020 seeking for the deletion of the petitioner's name from the history sheet in H.S.No.7 of 2019 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

//True Copy//

Sub Assistant Registrar

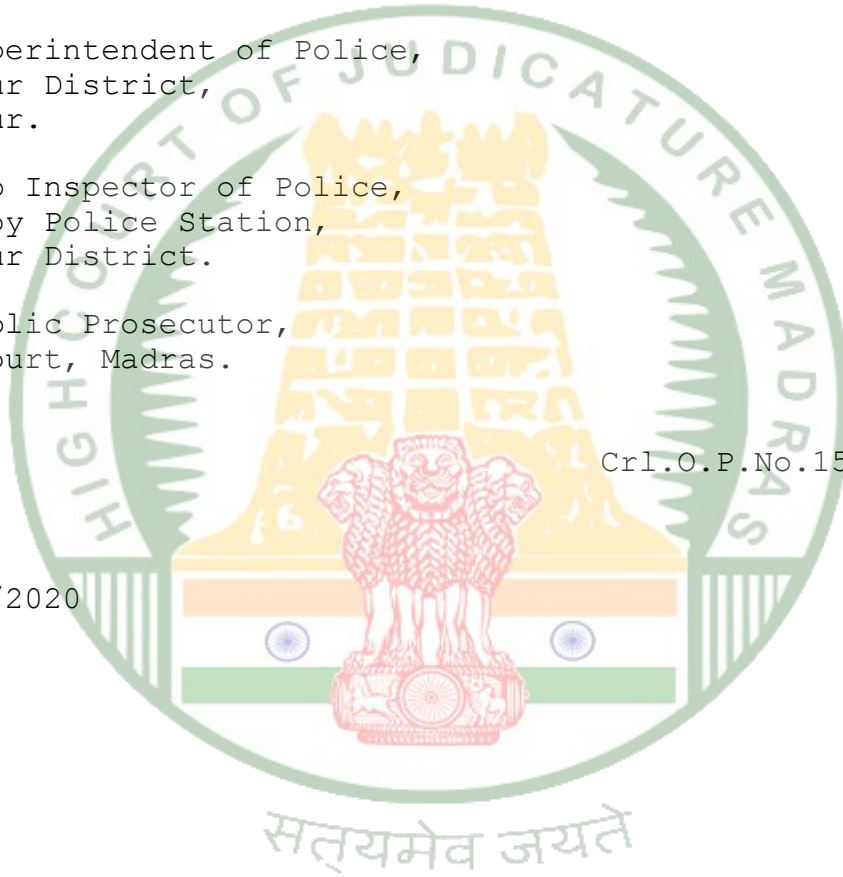
mfa

To

1. The Superintendent of Police,
Ariyalur District,
Ariyalur.
2. The Sub Inspector of Police,
Thalavoy Police Station,
Ariyalur District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.15774 of 2020

AJS (CO)
KKV/29/12/2020



WEB COPY