

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

Cr1.O.P.No.17995 of 2020

Silambarasan

S/o, Ramakrishnan,
Tiruvalluvar Nagar,
Kozhiyur Village,
Thittakudi Taluk,
Cuddalore District.

....Petitioner

-Vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District.

2. The Inspector of Police,
Thittakudi Police Station,
Cuddalore District.

.... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the respondents to remove the petitioner's name from History Sheet in H.S.No.2 of 2017 maintained by the 2nd respondent.

For Petitioner : Mr.K.Thenrajan

For Respondents: Ms.M.Prabhavathi
Additional Public Prosecutor

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ORDER

The petitioner has filed the Criminal Original Petition to remove his name from the History Sheet in H.S.No.2 of 2017 maintained by the second respondent.

2. According to the petitioner, he has no case except the family dispute related case and with reference to the said case, he had been enquired by the Inspector of Police, Thittakudi Police Station in the year 2017 and the same is pending. Other than the abovesaid case, no case is pending against him till the opening of the history sheet. He further submitted that he belonged to reputed family and occupying the responsible position in the media sector and also not being a habitual offender. In such circumstances, according to the petitioner, the respondent police should have enquired in accordance with law before opening the history sheet against the petitioner in H.S.No.2 of 2017. Further, it is the grievance of the petitioner that in the guise of history sheet opening against him, the respondent police often has filed the cases against him under section 107 and 110 Crpc. However, it is the case of the petitioner that he is no way involved in any manner affecting the public peace and law and order and contended that the said cases are falsely foisted against him. Therefore, it is the case of the petitioner that without following the procedures contemplated in the police standing order, the history sheet has been opened against him and aggrieved over the same, it is the case of the petitioner that he has sent a representation dated 12.01.2019 to the Superintendent of Police, Cuddalore, namely the first respondent, for deleting his name from the history sheet.

3. The Additional Public Prosecutor taking notice on behalf of the respondents submitted that the respondent police is ready to consider the representation of the petitioner and dispose of the same in accordance with law and seeks adequate time from this Court for the disposal of the same.

4. It is also represented by the counsel for the petitioner that he would be satisfied if the respondent police consider his representation and pass appropriate orders in accordance with law.

5. Taking into consideration of the abovesaid factors in toto and in the interest of justice, in my considered opinion, it would be appropriate in the fitness of things, if a direction is issued to the first respondent to consider the representation submitted by the petitioner dated 12.01.2019 and dispose of the same in accordance with law.

6. In the light of the abovesaid factors, the first respondent namely, The Superintendent of Police, Cuddalore is directed to consider the representation of the petitioner dated 12.01.2019 with reference to the removal of his name from the history sheet in H.S.No.2 of 2017 and dispose of the same in accordance with law within four weeks from the date of receipt

of a copy of this order. Accordingly, the Criminal Original Petition is disposed of.

sd/

ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

mfa
To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Thittakudi Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.

+1CC to Mr. K. THENRAJAN Advocate SR.NO.36822

Crl.O.P.No.17995 of 2020

RGN(CO)
NS-19/12/2020

सत्यमेव जयते
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