

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

W.P.No.17417 of 2020
and
W.M.P.No.21604 of 2020

Karthikeyan @ Subravelu,
S/o, Rajangam,
No.1/211, Mettiruppu Street,
Thiruvengadu,
Sirkali Taluk,
Nagapattinam District.

...Petitioner

-Vs-

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam.
2. The Deputy Superintendent of Police,
Sirkali Division,
Nagapattinam District.
3. The Inspector of Police,
Thiruvengadu Police Station,
Nagapattinam District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or order or direction in the nature of mandamus directing the respondents to remove my name from the History sheeted record (HS No.259/2015) kept in the 3rd respondent police station.

For Petitioner : Mr.S.Sasikumar

For Respondents: Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The Writ Petition has been laid by the petitioner to issue a Writ of Mandamus directing the respondents to remove his name from the history sheet in H.S.No.259 of 2015 on the file of the third respondent.

2. According to the petitioner, he has been falsely implicated as an accused in Crime No.434 of 2014 on the file of the Inspector of Poolice, Sembanarkoil Police Station in the year 2014 and the trial in respect of the abovesaid case was conducted by the Special Judge for Exclusive Trial of Bomb Blast Cases, Poonamallee in S.C.No.3 of 2016 and further submitted that after trial of the case, he has been acquitted by the court in the abovesaid case and the state has not preferred criminal appeal challenging the acquittal and other than the abovesaid case registered against him, no other criminal case is pending against him and the petitioner is not involved in any criminal activity warranting the respondents to open the history sheet against him and however without any basis, the history sheet in H.S.No.259 of 2015 has been opened against him by the third respondent and though he has given a representation on 20.08.2020 to the Superintendent of Police, Nagapattinam District seeking for the deletion of his name from the history sheet, no action has been initiated with reference to the same. Hence, according to the writ petitioner, he has been necessitated to file the writ petition.

3. At the time when the matter is taken up for hearing, it is represented by the Additional Public Prosecutor that the representation given by the petitioner dated 20.08.2020 has to be considered and disposed of by the Superintendent of Police, Nagapattinam and accordingly putforth that a suitable direction may be given to the Superintendent of Police, Nagapattinam 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, Nagapattinam 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, Nagapattinam is directed to consider the representation given by the petitioner dated 20.08.2020 seeking for the deletion of the petitioner's name from the history sheet in H.S.No.259 of 2015 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 Writ Petition is disposed of.
Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

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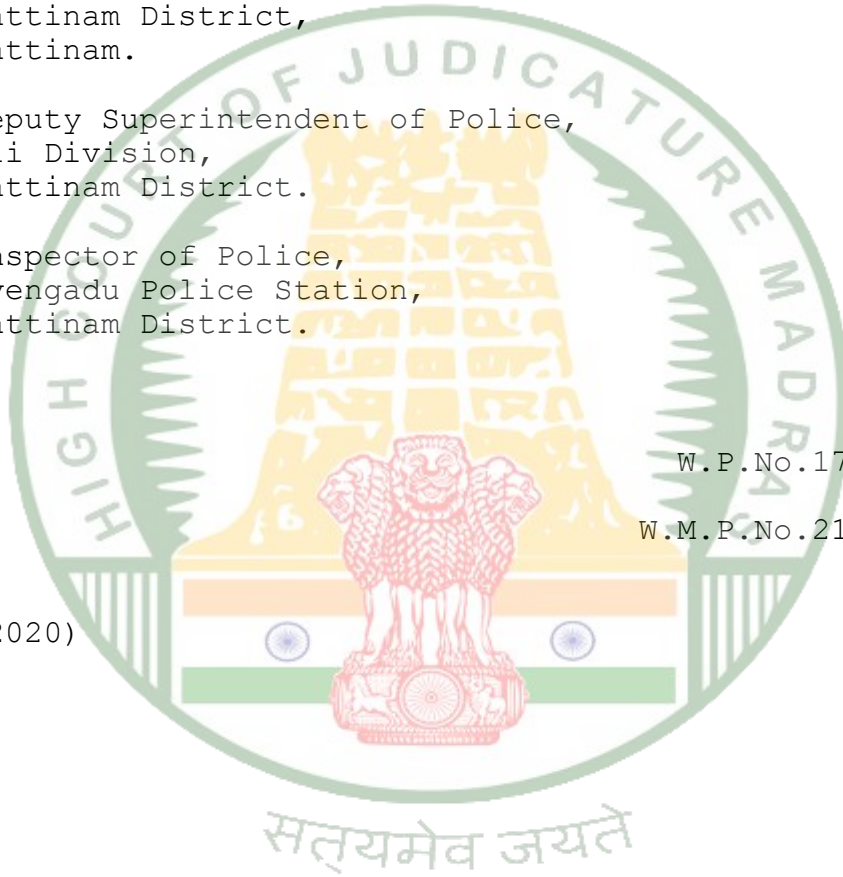
Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam.
2. The Deputy Superintendent of Police,
Sirkali Division,
Nagapattinam District.
3. The Inspector of Police,
Thiruvengadu Police Station,
Nagapattinam District.

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and
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AJS (CO)
RV (23/12/2020)



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