

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

Crl.O.P.No.18403 of 2020

N.Karunanidhi @ Seenu,
S/o, A.Nagarajan
No.17/10, Kannabiran Koil Street,
Jawahar Nagar,
Agaram,
Chennai - 600 082.Petitioner

-Vs-

1. The Deputy Commissioner of Police,
Pulianthope Range,
Office of the Deputy Commissioner of Police,
(Above-Ottery Police Station),
Ottery, Chennai - 600 012.
2. The Inspector of Police, (L&O),
K1-Sembiam Police Station,
Perambur,
Chennai - 600 011. Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to pass an order of direction directing the respondent to consider the petitioner representation dated 05.11.2020 and delete the petitioner's name in the History Sheet List No.36/2016 maintained by the 2nd respondent.

For Petitioner : Mr.S.Muthukumar

For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been preferred by the petitioner seeking to delete his name in the History Sheet List No.36/2016 maintained by the second respondent.

2. According to the petitioner, the F.I.R has been registered against him in Crime No.229 of 2010 on the file of the Inspector of Police, K-5, Peravallur Police Station and another F.I.R was registered in Crime No.263 of 2010 on the file of the Inspector of Police, K5 Police Station, Chennai-82. It is further stated that the abovesaid cases had been falsely registered against the petitioner and he has not committed the offences mentioned in the abovesaid F.I.Rs. Apart from the aforesaid two F.I.Rs, no other case is pending against the petitioner.

3. The case of the petitioner is that the abovesaid two cases had been closed as mistake of fact. It is further stated that for the past 10 years, the petitioner has not involved in any offence and no complaint has been laid against him. However, it is his grievance that the History Sheet has been opened against him in History Sheet List No.36/2016 by the second respondent police. In such view of the matter, it is putforth by the petitioner that the abovesaid History Sheet has been erroneously opened against him without any basis or foundation and therefore made a representation dated 05.11.2020 to delete his name from the abovesaid History Sheet and the same had not been considered by the first respondent, hence according to the petitioner, he has been necessitated to file the Criminal Original Petition.

4. At the time when the matter is taken up for hearing, the Additional Public Prosecutor represented that a suitable direction may be issued to the first respondent to consider the representation of the petitioner and pass appropriate orders in accordance with law.

5. The abovesaid suggestion putforth by the Additional Public Prosecutor is also supported by the petitioner's counsel and he would represent that it would be suffice if the representation of the petitioner dated 05.11.2020 is considered and disposed of by the first respondent in accordance with law.

6. Considering the facts and circumstances of the case, in my considered opinion, it is would be sufficient in the interest of justice and also in the fitness of things, if a suitable direction is given to the first respondent to dispose of the representation given by the petitioner in accordance with law.

7. Resultantly, the first respondent is directed to consider the representation made by the petitioner dated 05.11.2020 seeking for the deletion of his name in the History Sheet List No.36 of 2016 maintained by the second respondent and pass appropriate orders in accordance with law within a period of

four weeks from the date of receipt of a copy of this order.

8. With the abovesaid directions, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mfa
To

1. The Deputy Commissioner of Police,
Pulianthope Range,
Office of the Deputy Commissioner of Police,
(Above-Ottery Police Station),
Ottery, Chennai - 600 012.
2. The Inspector of Police, (L&O),
K1-Sembiam Police Station,
Perambur,
Chennai - 600 011.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.S.Muthukumar, Advocate Sr.No. 37647

PA(CO)
RMP(15/12/2020)

Cr1.O.P.No.18403 of 2020

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