



WEB COPY

W.P.(MD).No.13006 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/10/2020

PRESENT

The Hon'ble Mr.Justice **G.K.ILANTHIRAIYAN**

W.P.(MD).No.13006 of 2016

and

WMP(MD)No.9821 of 2016

B.Suthakar

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by
The Home Secretary,
Fort St.George,
Chennai - 9.
2. The Director General of Police,
Beach Road,
Dr.Radhakrishnan Salai,
Chennai - 4.
3. The Superintendent of Police,
O/o.The Superintendent of Police,
Trichy District.
4. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thiruvarumbur,
Trichy District.
5. The Inspector of Police,
Navalpattu Police Station,
Trichy District.
6. The Inspector of Police,
Urayur Police Station,
Trichy City.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondent Nos.3 to 6 from opening the History Sheet against the petitioner in violation of the 749(1)(b) of the Police Standing Order.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.K.R.Bharathi Kannan
Government Advocate (Crl.side)



O R D E R

This Writ Petition is filed for forbearing the respondent Nos.3 to 6 from opening the History Sheet against the petitioner in violation of 749(1) (b) of the Police Standing Order.

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2.The learned counsel for the petitioner submitted that the petitioner belongs to Scheduled Caste community and he also belongs to economically and socially weaker section. He belongs to a particular political party. Due to political vengeance, he has been repeatedly harassed by the police officials and repeatedly foisted a false case against him. In fact, the petitioner so far not at all convicted for any cases, but the respondents is taking serious steps to include the petitioner's name in the History Sheet.

3.The learned Government Advocate (Crl.side) filed a counter on behalf of the 3rd and 4th respondents herein and submitted that the petitioner so far involved in five cases, in which, two cases for the offence under Sections 302 IPC and the trial is pending. The history sheet opened against the petitioner in H.S.No.72 of 2018 on the file of the 4th respondent and subsequently, it is maintained by the 4th respondent as against the petitioner and extended till 31.12.2020, the prayer sought for by the petitioner has become infructuous.

4.Recording the said submission made by the learned Government Advocate (Crl.side), this Writ Petition is dismissed as infructuous. No costs. However, the petitioner is at liberty to challenge the inclusion of name in the History Sheet, if so advised. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

To

1. The Home Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai - 9.
2. The Director General of Police,
Beach Road, Dr.Radhakrishnan Salai,
Chennai - 4.



3. The Superintendent of Police,
O/o.The Superintendent of Police,
Trichy District.
4. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thiruvarumbur, Trichy District.
5. The Inspector of Police,
Navalpattu Police Station,
Trichy District.
6. The Inspector of Police,
Urayur Police Station,
Trichy City.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate SR-20772.

W.P. (MD) .No.13006 of 2016
and
WMP (MD) No.9821 of 2016
29.10.2020

PM(CO)
CS(09.12.2020) 3P 9C