

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.02.2021

C O R A M

The Hon'ble Mr. Justice N.ANAND VENKATESH

Writ Petition No.4295 of 2021

B.Fairose, S/o.Bazheer

... Petitioner

Vs.

1. The Commissioner of Police,
Police Commissioner's Office,
Salem District.

2. The Inspector of Police,
Kichipalliyam Police Station,
Kichipalliyam,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the 2nd respondent to consider the representation made by the petitioner on 03.09.2020 and deal with the same in accordance with the guidelines issued by this Court in the judgments referred supra and take a decision strictly in accordance with law within the period specified by this Court and removal of the name of the petitioner in the history sheet maintained by the 2nd respondent.

For Petitioner : Mr.V.Ramana Reddy

For Respondents : Mr.M.Mohammed Riyaz

Additional Public Prosecutor

O R D E R

This writ petition has been filed for issuance of a writ of Mandamus directing the second respondent to consider the representation made by the petitioner on 03.09.2020 wherein the petitioner is seeking for removal of his name from the history sheet maintained by the second respondent in H.S.No.501 of 2009.

2. The case of the petitioner is that the second respondent registered an FIR in Crime No.1465 of 2008 and the petitioner was also made an accused in this case. Pursuant to the same, the History Sheet was opened by the second respondent in the year 2009 and it is kept pending till date. A representation was made by the petitioner to the second respondent to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this Court.

3. Heard Mr.V.Ramana Reddy, learned counsel for the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 03.09.2020, strictly in accordance with the guidelines issued by this Court in Sabari alias Sabarigiri .v. Assistant Commissioner of Police (L & O), Madurai City reported in 2018 (4) MLJ Crl. 585 and Thirumangan and another .vs. The Superintendent of Police, Madurai District reported in 2020 (2) LW (Crl.) 266 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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To

1. The Commissioner of Police
Police Commissioner's Office,
Salem District.

2. The Inspector of Police,
Kichipalliyam Police Station,
Kichipalliyam,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.V.RamanaReddy Advocate sr10953

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