

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.4793 of 2021

Karthik @ Karthikeyan,
S/o.Muthusamy ... Petitioner
Vs.

1. The Inspector of Police,
Annathanapatti Police Station,
Salem, Salem City.
2. The Assistant Commissioner of Police,
South Range L & O,
Salem City. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the 1st respondent to remove my name from the rowdy list in the H.S.No.749 of 2019.

For Petitioner : Mr.P.Kumaresan
For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

O R D E R

This writ petition has been filed challenging the history sheet maintained by the first respondent wherein the name of the petitioner has been entered as a history sheet number in H.S.No.749 of 2019.

2. The case of the petitioner is that the first respondent has registered a case in Crime No.262 of 2018 against the petitioner for an offence under Sections 387, 506(ii) IPC. The investigation was conducted and final report was also filed in this case and it was taken on file by the learned Judicial Magistrate IV, Salem in C.C.No.229 of 2018. On completion of trial, the court below acquitted the petitioner from all charges by a judgment and decree dated 29.05.2019.

3. The grievance of the petitioner is that the first respondent continues to maintain the name of the petitioner in the history sheet and even the earlier order passed by this Court was not complied with. Left with no other option, the present writ petition has been filed before this Court.

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 first respondent to consider the claim made by the petitioner strictly in accordance with the guidelines issued by this Court in [Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Anna Nagar, (L&O) Range, Madurai city, Madurai and others] in 2018 4 MLJ Cr1. 585 and in [Thirumurugan and another Vs. The Superintendent of Police, Madurai] reported in 2020 2 LW crl 266 and pass 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 first respondent along with a copy of this order.

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

Sd/-
Asst.Registrar (CS III)

/true copy/
Sub Asst. Registrar

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To

- 1.The Judicial Magistrate No.IV,Salem
2. The Inspector of Police,
Annathanapatti Police Station,
Salem, Salem City.
3. The Assistant Commissioner of Police,
South Range L & O,
Salem City.
4. The Public Prosecutor
High Court, Madras.

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