

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. No.6183 of 2021

Mr.Magesh @ Minnal Magesh

.. Petitioner

vs.

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.

2. The Deputy Superintendent of Police,
Thiruttani,
Thiruvallur District.

3. The Inspector of Police,
Thiruvallur Police Station,
Thiruvallur District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the respondents to delete the name of the petitioner from the History Sheet list maintained by the 3rd respondent police station as HS No.14/2019.

For Petitioner : Mr.R.Sasikumar

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

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ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to remove the name of the petitioner from the History Sheet maintained against the petitioner by the 3rd respondent in H.S.No.14/2019.

2.The case of the petitioner is that an FIR came to be registered in Crime No.467 of 2018, against the petitioner under Section 379, 307, 353 and 430 of IPC. The further case of the petitioner is that the FIR was closed as further action dropped. According to the petitioner, there is no other case pending against him and in spite of the same, the

3rd respondent continues to maintain a history sheet against the petitioner in H.S.No.467 of 2018.

3.The petitioner made a representation to the respondents on 04.01.2021, in this regard and requested the respondents to remove the name from the history sheet. Since the same was not considered, the present writ petition has been filed before this court seeking for appropriate directions.

4.Heard Mr.R.Sasikumar, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondents.

5.Taking into consideration the facts and circumstances of the case and also the limited relief sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 04.01.2021 and deal with the same strictly in accordance with the guidelines of this Court in Sabari @ Sabarigiri v. Assistant Commissioner of Police, Annanagar(L & O) Ranger, Madurai and Others reported in (2018) 4 MLJ Cr1 585 and also the judgment of this Court in Thirumagan v. Superintendent of Police, Madurai and Others reported in (2020) 2 LW Cr1 266 . The 3rd respondent shall take a decision within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation along with a copy of this order to the 3rd respondent. A copy of the representation shall also be marked to the 1st respondent.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KP

To

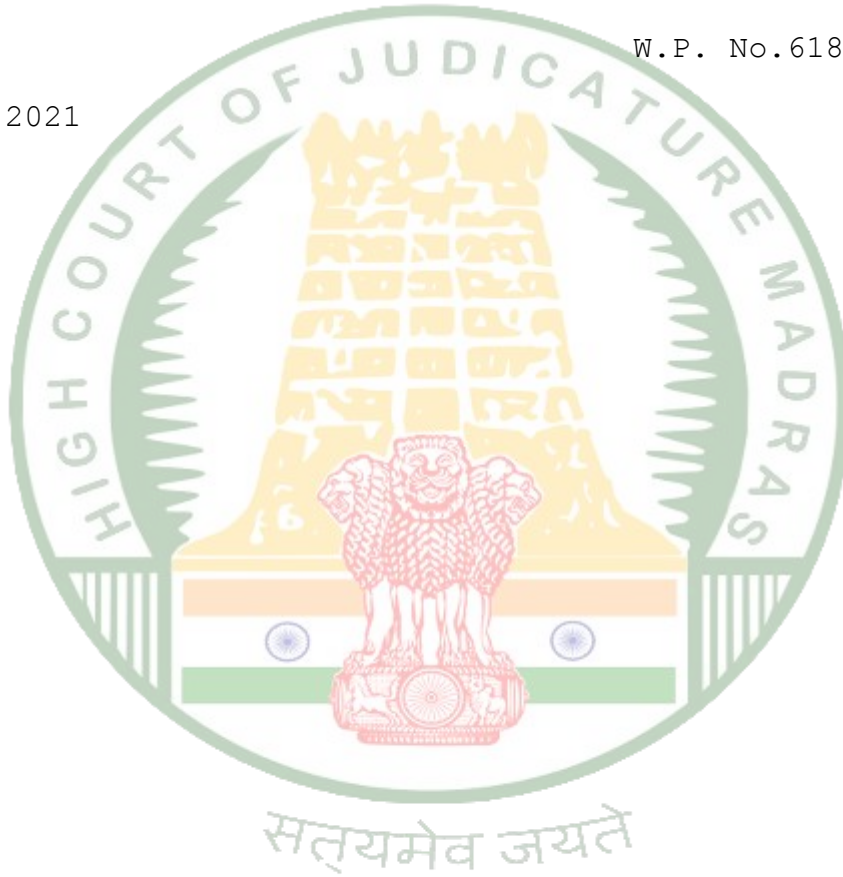
1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Deputy Superintendent of Police,
Thiruttani,
Thiruvallur District.

3. The Inspector of Police,
Thiruvalangadu Police Station,
Thiruvallur District.
4. The Additional Public Prosecutor,
High Court of Madras,
Madras.

+2cc to Mr.R.Sasikumar, Advocate, S.R.No.15501.

SKY(CO)
CSR 31.03.2021

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