

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7533 of 2021

Raghu @ Daisan

... Petitioner

Vs.

1. The Commissioner of Police,
Vepery, Chennai 600 007.

2. The Inspector of Police,
H-8, Thiruvotriyur Police Station,
Chennai 600 019.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondents to remove the petitioner's name from the History Sheet Book in HS No.5 of 2011 of the second respondent police station based on the petitioner's representation dated 15.03.2021.

For Petitioner : Mr.S.Sathish

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent police to consider the representation made by the petitioner dated 15.03.2021, wherein the petitioner has sought for removal of his name from the history sheet maintained by the second respondent in HS.No.5 of 2011.

2. The case of the petitioner is that the second respondent had registered FIR's in Crime Nos.1211 of 2006 and 988 of 2011 and added the petitioner as an accused in both the cases. According to the petitioner, the proceedings were also closed by the Juvenile Justice Board since no final report was filed even after a period of three years. In the meantime, the second respondent has opened a History Sheet in HS.No.5 of 2011.

3. The grievance of the petitioner is that the second respondent Police had opened a history sheet in HS.No.5 of 2011 against the petitioner and after the year 2011, no case was registered as against the petitioner. The petitioner, therefore, made a representation to the respondent Police to remove his 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.S.Sathish, 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 the limited relief sought for by the petitioner, there shall be a direction to the second respondent Police to consider the representation made by the petitioner dated 15.03.2020 and deal with the same in accordance with the guidelines issued by this Court in Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Annanagar (L & O) Range, Madurai City, Madurai and others reported in 2018 (4) MLJ crl. 585 and in the case of Thirumurugan and another Vs. Superintendent of Police, Madurai District, Alagarkovil road, Madurai and others reported in 2020 (2) LW CrI.266. The second 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 to the second respondent along with all the relevant documents and also a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rli
To

1. The Commissioner of Police,
Vepery, Chennai. 600007 सत्यमेव जयते

2. The Inspector of Police,
H-8, Thiruvotriyur Police Station,
Chennai 600 019.

3. The Public Prosecutor
High Court of Madras
Chennai - 600 104.

+1cc to Mr.S.Sathish , Advocate SR.No. 19839

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A.SK(19.05.2021)