

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.04.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.8336 of 2021

J.R.Saravanan

... Petitioner

Versus

- 1.The Superintendent of Police
Krishnagiri District,
Krishnagiri - 635 115.
 - 2.The Deputy Superintendent of Police
Gandhi Road,
Krishnagiri.
 - 3.The Inspector of Police
Krishnagiri Town Police Station
Krishnagiri.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the representation dated 20.01.2021 of the petitioner regarding delete the petitioner name from the history sheet rowdy list pending on the file of the third respondent and pass orders or merits and in accordance with law within a limited time frame.

For Petitioner : Mr.G.Punniakoti
For Respondents: Mr.C.Raghavan (Crl.Side)
Government Advocate

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ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents police to remove the name of the petitioner from the history sheet maintained by the third respondent in H.S.No.57 of 2019.

2. The case of the petitioner is that the third respondent police registered an FIR in Crime No.22 of 2015 and this case ultimately was taken up for trial in C.C.No.304 of 2015 and the same is pending before the learned Judicial Magistrate Court No.I, Krishnagiri. The further case of the petitioner is that based on this FIR, history sheet was opened

by the 3rd respondent in H.S.No.57 of 2019 against the petitioner. According to the petitioner, no other case was registered against the petitioner and inspite of the same, the third respondent continued to maintain the history sheet against the petitioner.

3. The grievance of the petitioner is that the 3rd respondent continues to retain the name of the petitioner in the history sheet and in order to justify the same, attempts are being made to initiate proceedings under section 110 of Cr.Pc. The petitioner made a representation on 20.01.2021 to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this Court.

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

5. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has already been acquitted from all charges, there shall be a direction to the third respondent to immediately act on the representation made by the petitioner on 20.01.2021 and deal with the same in accordance with the guidelines issued by this Court in [Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Anna Nagar, (L&O) Range, Maurai city, Madurai and others] in 2018 4 MLJ Crl. 585 and in [Thirumurugan and another Vs. The Superintendent of Police, Madurai] reported in 2020 2 LW crl 266 and pass appropriate orders, 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 3rd respondent along with 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

dna
To

1.The Judicial Magistrate Court No.I, Krishnagiri.

2.The Superintendent of Police

Krishnagiri District,
Krishnagiri - 635 115.

3.The Deputy Superintendent of Police
Gandhi Road,
Krishnagiri.

4.The Inspector of Police
Krishnagiri Town Police Station
Krishnagiri.

+1cc to Mr.G.Punniakoti, Advocate SR.No. 23951

W.P.No.8336 of 2021

SVI (CO)

A.SK(22.06.2021)



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