



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.17530 of 2021

A.Saravanan

... Petitioner

Versus

1. The Superintendent of Police
Thiruvarur District.

2. The State by,
Inspector of Police,
Harithuvaramangalam Police Station,
Thiruvarur.

... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution, to issue a writ of mandamus to direct the 1st respondent to remove the petitioner's name from History Sheeted rowdy list on the file of the 2nd respondent police herein by considering the petitioner's representation dated 20.09.2019, 05.11.2020 and 08.03.2021 in terms of judgment reported in W.P. (MD).No.1532 of 2020.

For Petitioner : Mr. R.Gokulakrishnan.

For Respondents : Mr.A.Damodharan,
Government Advocate (Crl.side)

ORDER

This writ petition has been filed to direct the first respondent to delete the name of the petitioner from the History Sheet maintained by the 2nd respondent.

2. The contention of the petitioner is that the petitioner has been falsely implicated in the case. Earlier, a



case in Crime No.3 of 2009 for the offences punishable under Sections, 147, 148, 294(b), 341 and 307 of IPC was registered, which ended in acquittal. Thereafter, a case in Crime No.42 of 2015 for an offence under Section 110 Cr.P.C was registered and as per Section 110 Cr.P.C. bond is only for a period of one year, which has got expired. Now, another case in Crime No.13 of 2018 was registered for the offences under Sections 147, 148, 294(b), 506 (ii) & 429 of IPC r/w. Section 4 of Tamilnadu Women Harassment Act. Admittedly, the petitioner is not convicted in any of the case and he is not a history sheeted and his name cannot be maintained in the history sheet. Hence, the petitioner had sent a representation on 20.09.2019 to the first respondent, followed by 05.11.2020 and lastly on 08.03.2021. But, no action has been taken. Hence, the present petition.

3. The learned Government Advocate (crl. side) appearing for the respondents would submit that the representation dated 08.03.2021 has been received by the first respondent and it is pending for consideration.

4. This Court time and again given a direction to the police with regard to the procedure to be followed including a person name as history sheeted and to maintain the same. In this case, the continuation of the petitioner name in the history sheet in HSR No.16/2015 is not sustainable.

5. In view of the same, the first respondent/Superintendent of Police, following the dictum laid by this Court in the case of Sabari /vs/ Assistant Commissioner of Police (Law & Order range), Madurai reported in 2018(4) MLJ 585, to pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ petition is disposed of.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar



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1. The Superintendent of Police
Thiruvarur District.
2. Inspector of Police,
Harithuvaramangalam Police Station,
Thiruvarur.

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SJ(C0)
SB(05/10/2021)