



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19007 of 2021

S.Ravi

...Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 7.

2.The Deputy Commissioner of Police,
Mylapore
Chennai -4.

3. The Assistant Commissioner of Police,
Kotturpuram
Chennai - 85.

4. The Inspector of Police,
J-4, Kotturpuram Police Station
Chennai - 85.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to remove the petitioner's name from rowdy list history sheet no.03/J4PS/HS/2015 which is maintained by the 4th respondent pursuant to the representation dated 15.09.2021.

For Petitioner : Mr.K.Kannan

For Respondents: Mr.R.Vinothraja

Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

This petition has been filed seeking for a direction, to direct the 3rd respondent to remove the petitioner's name from rowdy list history sheet No.03/J4PS/HS/2015 which is maintained by the 4th respondent pursuant to the representation dated 15.09.2021.



2.Learned counsel for the petitioner would submit that the petitioner is doing a real estate business and has earned good name in that field and he also is having his own office for the purpose of carrying out the real estate business at Adyar, Chennai and he is an income tax assessee.

3.He would further submit that he is also doing a construction business and on 08.07.2015 when he was in the construction site, some persons objected and obstructed his business, hence, the petitioner approached the Kottupuram Police Station to take action against them, but when the 4th respondent received a phone call from some number he left the police station by making the petitioner wait in the police station and when the 4th respondent returned, he implicated the petitioner in Crime No.1935 of 2015 for the offence u/s.341, 294(b), 323, 336, 427, 307, 506(ii) I.P.C. and also in Crime No.1931 of 2015 for the offence u/s.147, 341, 307 and 302 I.P.C @ u/s.148, 341, 302, 307 r/w. 149 and 120 B r/w. 34 IPC and thereafter, the petitioner was branded as history sheeter rowdy.

4.He would further submit that the petitioner was acquitted in crime No.1931 of 2015 after the trial conducted in S.C.No.278 of 2016 by the learned I Additional Sessions Judge, City Civil Court, Chennai-600 104 on 29.05.2018. With regard to Crime No.1935 of 2015, the 4th respondent investigated all the witnesses, u/s.161(3) Cr.P.C. statements of all the witnesses were recorded in the detention book provided by the 4th respondent to the petitioner, whereas, the 4th respondent is yet to file the charge sheet with respect to this case, stating that the investigation is still pending. The petitioner is still retained in the rowdy list history sheet No.03/J4PS/HS/2015 and he has not given any adverse notice. Hence, the petitioner has sent a representation on 31.12.2018 and 15.09.2021 to the respondents to remove his name from the rowdy list and no action has been taken on his representation till date, accordingly, prays for appropriate orders.

5.Mr.R.Vinothraja, the learned Government Advocate (Crl. Side) would submit that the representation sent by the petitioner on 15.09.2021 has been received by the Commissioner of Police, Chennai and a copy of the representation was forwarded to the Deputy Commissioner of Police, Mylapore and the same will be processed after conducting proper enquiry.

6.Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) and also perused the materials available on record.



7. In view of the above submissions made by the learned Government Advocate, this Court is inclined to direct the 4th respondent to dispose of the petitioner's representation dated 15.09.2021 within a period of two months from the date of receipt of a copy of this order.

8. With the above direction, this Criminal Original Petition stands disposed of.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

kas / jeni
To

1. The Commissioner of Police,
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2. The Deputy Commissioner of Police,
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4. The Inspector of Police,
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+2 Ccs to Mr. K. Kannan, Advocate sr 54368.

CRL.O.P.No.19007 of 2021

JP II (CO)
SP(12/11/2021)