

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 20484 of 2020

S.Chelladurai

... Petitioner

vs.

1. The Superintendent of Police,
SP Office Campus,
Ariyalur District,
Ariyalur.

2. Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District,
Ariyalur.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to remove the petitioner name, image displayed in H.S.No. Not known, from the History Sheet Book maintained by the second respondent by considering petitioner's representation dated 06.11.2020.

For Petitioner : Mr.R.Arun Dattan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed for the issuance of a writ of mandamus directing the respondents to remove the name of the petitioner from the history sheet records maintained by the second respondent in HS No.403 of 2011.

2. The case of the petitioner is that an FIR came to be registered against the petitioner and others and ultimately it resulted in a session case in SC No.2 of 2011 before the Principal District and Sessions Judge, Ariyalur. The case ended in acquittal by virtue of a judgment dated 02.11.2012. The further case of the petitioner is that based on this Criminal

case, the second respondent had opened a history sheet against the petitioner in HS No.403 of 2011 and the name of the petitioner has not been deleted in spite of the representation made by the petitioner. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to consider the representation made by the petitioner on 06.11.2020, in accordance with the guidelines given by this Court in Sabari Vs. The Assistant Commissioner of Police, Madurai City and Ors., reported in (2018) 4 MLJ (Crl) 585, and in Thirumagan and Ors. Vs. The Superintendent of Police, Madurai District and Ors., reported in (2020) 2 LW (Crl) 266. The entire process shall be completed by the second respondent within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of this order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jv
To

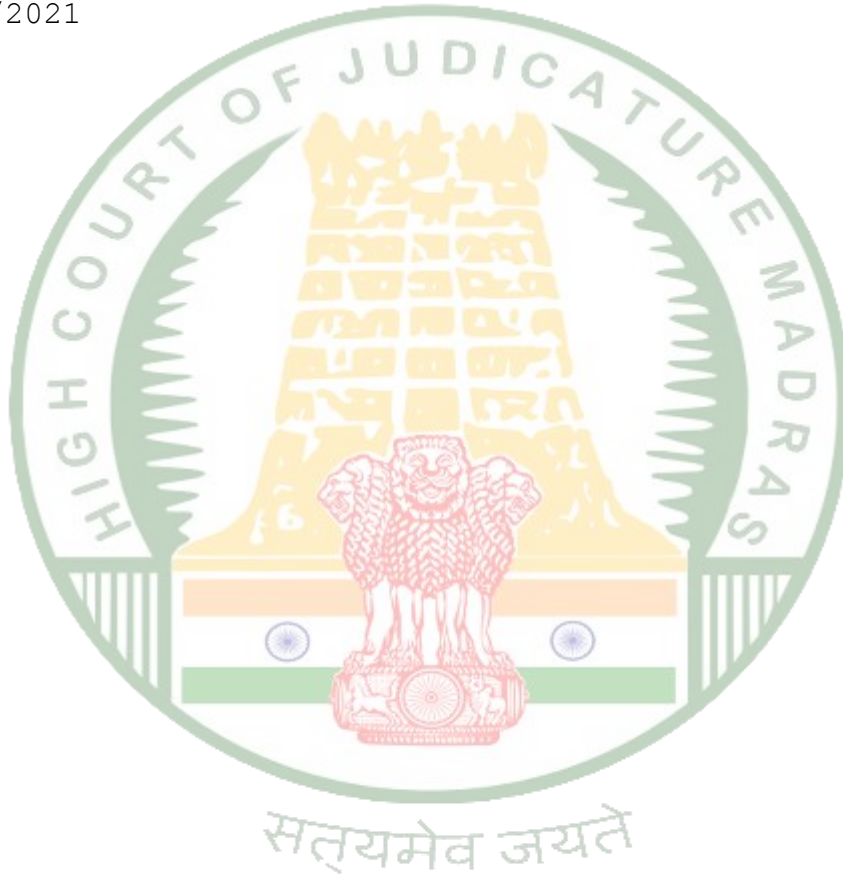
1. The Superintendent of Police,
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Ariyalur.
2. The Inspector of Police,
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Ariyalur District,
Ariyalur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Prakash, Advocate Sr.456

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srg 01/02/2021



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