

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.21129 of 2020

P.R.Elamparuthi

...Petitioner

.Vs.

1. The Director General of Police,
Office of the Director General of Police,
Dr.Radha Krishnan Road,
Mylapore, chennai 600 004.
2. The Commissioner of Police,
Office of the Commissioner of Police,
Gopalapuram, Coimbatore 641 018.
3. The Assistant Commissioner of Police,
Office of the Asst. Commissioner of
Police (West), R.S.Puram,
Coimbatore 641 002.
4. The Inspector of Police,
B-2, R.S.Puram Police Station,
Coimbatore 641 002.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to remove the petitioner's name p.R.Elamparuthi from the history sheet in 03/2014 dated on 30.04.2014 maintained by the Inspector of Police, B-2, R.S.Puram Police Station (herein 4th respondent).

For Petitioner : Ms.R.Subhadra Devi

For R1 to R4 : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent police to remove the name of the petitioner from the history sheet maintained by the 4th respondent.

2. The case of the petitioner is that there were three cases that were registered against the petitioner and the same resulted in filing a final report and trial was conducted in S.C.No.360 of 2011, SC.No.227 of 213 and S.C.No.125 of 2012. The further case of the petitioner is that in all three cases, the petitioner was acquitted. All these acquittals happened during the year 2012 and 2016 respectively. According to the petitioner, there is no other criminal case that has been filed or pending against the petitioner. The 4th respondent is maintaining the records, wherein, the petitioner has been recorded as a history sheeter and according to the petitioner, the 4th respondent continues to show the name of the petitioner as history sheeter. The petitioner made a representation on 17.11.2020 to the respondents to remove the name of the petitioner from the history sheet. Since the same was not considered, the present Criminal Original Petition has been filed before this Court seeking for appropriate directions.

3. Heard Ms.R.Subhadra Devi, learned counsel for petitioner and Mr. M. Mohamed Riyaz, learned Addl. Public Prosecutor appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this petition, there shall be a direction to the 4th respondent to consider the representation made by the petitioner on 17.11.2020 in line with the guidelines given by this Court in Sabari @ Sabarigiri Vs. Assistant Commissioner of Police and others reported in 2018 4 MLJ Cr1.585 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 4th respondent along with all the relevant documents and also a copy of this order.

5. In the result, this Criminal Original Petition is disposed of with the above direction.

Sd/-

Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

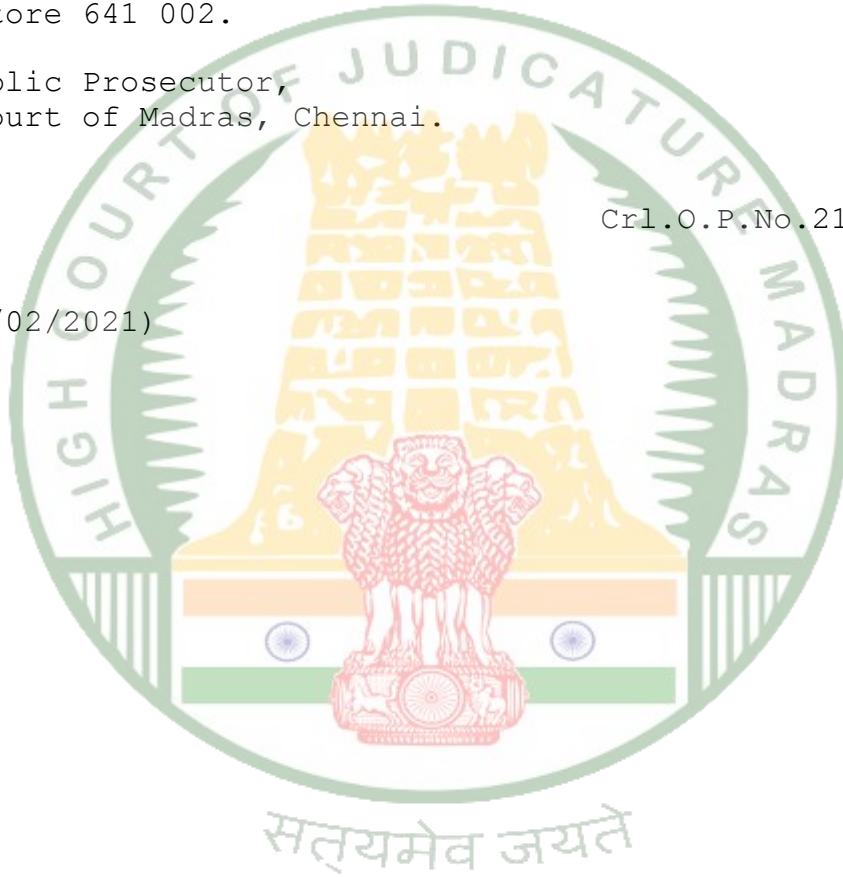
To

1. The Director General of Police,
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4. The Inspector of Police,
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Coimbatore 641 002.
5. The Public Prosecutor,
High Court of Madras, Chennai.

Crl.O.P.No.21129 of 2020

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