



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.25720 OF 2021

J.Karunakaran

... Petitioner

Versus

The Inspector of Police,
S-6 Sankar Nagar Police Station,
Sankar Nagar, Chennai

... Respondent

PRAYER: This Writ Petition has been filed under Article 226 of the constitution, to issue Writ of Declaration declaring that the impugned History Sheet No.28/2016 on the file of the respondent as illegal.

For Petitioner	:	Mr.P.Vijendran.
For Respondent	:	Mr.E.Raj Thilak Addl. Public Prosecutor

ORDER

The petitioner herein seeks a declaration declaring that the petitioner's name found in the H.S.No.28 of 2016 to be illegal.

2. The contention of the learned counsel for the petitioner is that the petitioner's father was Ex-President of the Village Panchayat and he is carrying on welding work, and social work for the society. He further submitted that the respondent had entered into the petitioner's shop on 04.09.2015, arrested him and questioned his wife for no reason. The petitioner's wife gave a complaint to the Human Rights Commission on 07.09.2015. Thereafter, a case was registered against the petitioner in Crime No.2574 of 2015, based on which, his name included in the History Sheet, in H.S.No.28 of 2016. In the year 2020, another case in Crime No.785 of 2020 registered and the petitioner was arrested. Later, the petitioner was granted bail by this Court. He further submitted that the respondent police for one reason or other, registering First Information Reports and retaining the petitioner's name in the history sheet. The petitioner gave



representation to the Deputy Commissioner of Police, St., Thomas Mount, on 04.10.2021. So far, no action has been taken and he is not aware about the fate of his representation.

3. The learned Additional Public Prosecutor submitted that the petitioner is involved in NDPS case. The petitioner was arrested in Crime No.785 of 2020 for possession of 1.5 kilograms of Ganja and Rs.600/- in cash. In this case, investigation is under progress. Since the petitioner is a regular offender, the petitioner's name is retained in the history sheet. He further submitted that the Inspector of Police already given requisition to the Deputy Commissioner of Police to retain the petitioner's name in the history sheet.

4. Considering the submissions, it is seen that the petitioner had given a representation on 04.10.2021 and so far, the Deputy Commissioner of Police had not considered the same and no orders passed.

5. In view of the same, the Deputy Commissioner of Police, St., Thomas Mount, is directed to consider the representation of the petitioner and pass appropriate orders within a period of 2 months from the date of receipt of copy of this order, of course after giving the petitioner an opportunity.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mp/mpl

To

1. The Deputy Commissioner of Police,
St. Thomas Mount, Chennai.
2. The Inspector of Police,
S-6 Sankar Nagar Police Station,
Sankar Nagar, Chennai.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Vijendran., Advocate, S.R.No.63309

W.P.No.25720 of 2021

PL(CO)

RLP(30/12/2021)