



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2021

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THE HONOURABLE MR.JUSTICE G.ILANGOVAN

W.P. (MD) No.10195 of 2021

WEB COPY

H.Abbas

.. Petitioner

Vs

1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangudi Sub Division,
Pudukottai District.

3.The Inspector of Police,
Alangudi Police Station,
Pudukotai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to close the History sheet in H.S.No.435/11 that has been opened against the petitioner on the file of the 3rd respondent police station within the time stipulated by this Court.

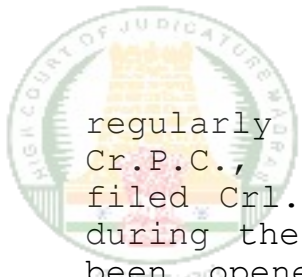
For Petitioner	:	No appearance
For Respondents	:	Mr.R.M.Anbunithi Additional Public Prosecutor

ORDER

This Writ Petition is filed seeking a direction to the respondents to close the History sheet in H.S.No.435/11 that has been opened against the petitioner on the file of the 3rd respondent police.

2.The case of the petitioner is that he is the accused in S.C.No.31 of 2012 on the file of the learned Additional District and Sessions Judge, Pudukottai. In that case, he was acquitted on 28.12.2014. Thereafter, in 2019, another case in Crime No.118 of 2019 for the offences punishable under Sections 147, 148, 341, 294 (b), 324, 506(ii) and 307 of IPC was registered. Thereafter, the History Sheet has been opened as against the petitioner and he was also detained under law. Thereafter, the petitioner's wife filed H.C.P.(MD) No.742 of 2019 before this Court and that was allowed and the detention order was also set aside.

3.Now, the case in P.R.C.No.02 of 2020 is pending before the learned Judicial Magistrate, Alangudi, wherein, the petitioner is



regularly appearing. The 3rd respondent is trying to invoke 110 Cr.P.C., proceedings against the petitioner. So, the petitioner filed CrI.O.P.(MD) No.2923 of 2021 seeking not to harass him and during the arguments, it was submitted that the History Sheet has been opened and the same is maintained against him. So, the petitioner sent a detailed representation dated 26.04.2021 to the 1st respondent to remove his name in the History Sheet in H.S.No.435/11. However, there was no action. Hence, this petition.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that even though the petitioner involved in 2 previous cases, at present, one case is pending as against him and the History Sheet has been opened and the same is maintained against him. Since the representation has been made by the petitioner, the Authority may consider the same on merits and pass appropriate orders.

5.Recording the submission of the learned Additional Public Prosecutor, since the petitioner's representation dated 26.04.2021 is pending, there shall be a direction to the 2nd respondent to consider the same and pass appropriate orders on merits and in accordance with law within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

6.The Writ Petition is disposed of accordingly.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,Pudukottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangudi Sub Division, Pudukottai District.
- 3.The Inspector of Police,
Alangudi Police Station,Pudukotai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P. (MD)No.10195 of 2021

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