



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G. ILANGO VAN, J.

Crl.O.P.(MD)No.9391 of 2021

Christoper @ Selvaraj

... Petitioner

Vs.

1.The Superintendent of Police,

Kanyakumari District,
At Nagercoil.

2.The Deputy Superintendent of Police,

Colachel,
Kanyakumari District.

3.The Inspector of Police,
Kollencode Police Station,
Kanyakumari District.

...Respondents

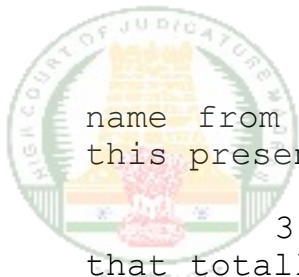
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., directing the respondents to remove the name of the petitioner from the record of history sheet.

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.R.M.Anbunithi
Additional Public
Prosecutor (Crl side)

O R D E R

This petition has been filed to direct the respondents to remove the name of the petitioner from the record of history sheet.

2. The case of the petitioner is that he is an agricultural coolie and on previous occasion, the third respondent foisted a false case under Section 379 IPC against the petitioner and he was acquitted by the learned Judicial Magistrate No.II, Kuzhithurai. For the past eight years, there is no case filed against the petitioner. Based on the previous case, H.S.No.160 of 1997 has been opened in the name of the petitioner. The learned counsel for the petitioner would submit that he is HIV patient and taking treatment in Government Medical College, Asaripalayam. Since he has no previous case against the petitioner for the past eight years, he has given a



name from History Sheet. As there was no action, he came up with this present petition.

3.The learned Additional Public Prosecutor would submit that totally six previous cases were pending against the petitioner, out of which, in three cases, he was acquitted and in three cases, he was convicted. Only on that basis, History Sheet is kept pending. However, he would submit that the representation of the petitioner will be considered.

4. Considering the facts and circumstances of the case, the respondents are directed to consider the representation of the petitioner dated 09.07.2021 and pass orders on merits, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.
- 2.The Deputy Superintendent of Police,
Colachel,
Kanyakumari District.
- 3.The Inspector of Police,
Kollencode Police Station,
Kanyakumari District.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.9391 of 2021

15.07.2021

TP (CO)

LR (26.07.2021) 3P 5C