



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.15159 of 2021

WEB COPY

Sanghupandi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Sivagangai District - 630 561.

2.The Deputy Superintendent of Police,
D.S.P.Police,
Manamadurai - 630 606.

3.The Inspector of Police,
Thiruppachethi Police Station,
Thiruppachethi - 630 610.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to remove the name of the petitioner from the History Sheet maintained by the third respondent without any criminal history against the petitioner, based on the representation dated 03.09.2021, within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar

For R1 to R3 : Mr.RMS.Sethuraman

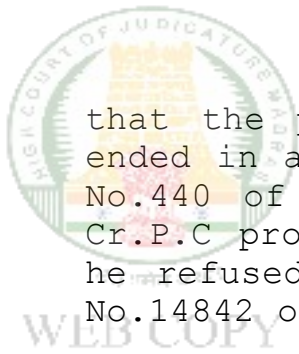
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the second respondent police to remove the petitioner's name from the History Sheet maintained by the third respondent.

2.The case of the petitioner is that the petitioner is involved in Crime No.174 of 2014, for the offences punishable under Sections 294(b), 324, 506(i) IPC and he was acquitted in CC No.656 of 2019 on 28.11.2019. Thereafter, no criminal case is pending against the petitioner. However, History sheet was opened and it has been periodically renewed without following proper procedure. Hence, he made representation.

<https://hcservices.ecourts.gov.in/Hcservices1> Learned Additional Public Prosecutor would submit



that the petitioner is involved in two previous cases and both ended in acquittal. However, later point of time, a case in Crime No.440 of 2015 has been registered, on the basis of which, 107 Cr.P.C proceedings has been initiated against this petitioner and he refused to receive notice. Subsequently, he filed Crl.O.P(MD) No.14842 of 2021, seeking not to harass the petitioner.

4.It is seen from the submission made by the learned Additional Public Prosecutor that the petitioner refused to receive notice. Since proceedings under Section 107 Cr.P.C has been initiated, it is the duty of the petitioner to face the enquiry. Without resorting to such remedy, he has come before this Court with the present Criminal Original Petition. It is stated that the representation sent by the petitioner is kept pending.

5.Considering the facts and circumstances of the case, the respondents are directed to consider the representation of the petitioner dated 03.09.2021 and pass orders on merits, within a period of four weeks from the date of receipt of a copy of this order. Further, there shall be a direction to the petitioner to receive summons and appear before the concerned official and co-operate with him to conclude the enquiry.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CRL)

// 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,
Office of Superintendent of Police,
Sivagangai District - 630 561.



2.The Deputy Superintendent of Police,
D.S.P.Police,
Manamadurai - 630 606.

3.The Inspector of Police,
Thiruppachethi Police Station,
Thiruppachethi - 630 610.

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

Crl.O.P. (MD)No.15159 of 2021
06.10.2021

SE (CO)
SB(01.11.2021) 3P 5C