



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2021

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THE HONOURABLE MR. JUSTICE G.ILANGOVAN

W.P. (MD) No.19679 of 2021

P.Mayandi

.. Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Thalayuthu,
Tirunelveli District.

3.The Inspector of Police,
Thalayuthu Police Station,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to cancel the History Sheet in H.S.No.244 of 2016 on the file of the 3rd respondents retained in the petitioner's name by considering the petitioner's representation dated 25.09.2021.

For Petitioner : Mr.P.Balamurugan

For Respondents : Mr.R.M.Anbunithi for R1 to R3
Additional Public Prosecutor

ORDER

(This writ petition is heard through video conference)

This petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 3 to cancel the History Sheet in H.S.No.244 of 2016 on the file of the 3rd respondents retained in the petitioner's name by considering the petitioner's representation dated 25.09.2021.

2.The case of the petitioner is that he is doing agricultural coolie work. In the year 2011 a case in Crime 206 of 2011 has been registered against the petitioner and 7 others for the offences punishable under Sections 147, 148, 454, 302 and 302 of IPC. The same was taken on file in S.C.No.202 of 2014 before the IV Additional Sessions Judge, Tirunelveli and after completion of full fledged trial the case ended in acquittal on 22.03.2016. Thereafter in the year 2012 another case in Crime NO.264 of 2012 has been registered against the petitioner and the same is still pending. Thereafter, no other criminal case has been registered or pending



before any other police station. Based upon the above said cases history sheet has been opened against the petitioner and the same was also extended periodically. Therefore, the petitioner gave representation to remove his name from the history sheet.

3.The learned Additional Public Prosecutor submitted that totally there five cases pending against the petitioner, out of which two cases have ended in acquittal. 107 Cr.P.C. proceedings initiated against the petitioner were terminated and as on date no case is pending.

4.Since representation dated 25.09.2021 is kept pending, let the same be considered by the third respondent herein, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Thalayuthu, Tirunelveli District.
- 3.The Inspector of Police,
Thalayuthu Police Station,
Tirunelveli District.

+1 CC to M/s.P.BALAMURUGAN, Advocate (SR-33586[F] dated 02/11/2021)

**W.P. (MD) .No.19679 of 2021
01.11.2021**

SS (CO)

SB(01.12.2021) 2P 5C

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