



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P. No.680 of 2022

A.Anbudoss

...Petitioner

Versus

1. The Superintendent of Police,
Thiruvannamalai District.
2. The Deputy Superintendent of Police,
Polur, Sub Division,
Thiruvannamalai District.
3. The Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to delete the name of the petitioner from the History Sheet No.1 of 2015 of the list maintained by the 3rd respondent police station and further prohibit summoning the petitioner by the 3rd respondent under Section 110 of Cr.P.C as requested by the petitioner in his representation dated 14.09.2021 to all the respondents.

For Petitioner : Mr.G.Ravikumar

For respondents: Mr. E.Raj Thilak,
Additional Public Prosecutor

ORDER

The petitioner has filed this petition seeking a direction to the 3rd respondent to delete his name from the History Sheet No.1 of 2015 of the list maintained by the 3rd respondent police station and to prohibit summoning him by the 3rd respondent under Section 110 of Cr.P.C vide representation dated 14.09.2021 made by him to the respondents.

2.The grievance of the petitioner is that the history sheet has been opened in the name of the petitioner illegally and that owing to the subsequent antecedents, the name requires to be



removed from the history sheet. The decision to have the petitioner's name removed from the history sheet could fall within purview of the Inspector of Police, Chetpet Police Station, Thiruvannamalai District and this Court by exercising its power under Article 226 of Constitution of India cannot step into the shoes of the detaining authorities for the purpose of considering the petitioner's request for removal of his name from the history sheet.

3. Nevertheless if a direction is given to the concerned authority to consider the request of removal of the name from the history sheet, the ends of justice would be secured. The learned counsel for the petitioner also relied upon the decision of this Court in W.P. No.1965 of 2018, etc., in the case of Sabari Vs. Assistant Commissioner of Police, reported in 2018 LW (Crl)817. Yardstick has been given for consideration of such a request for removal of name in the history sheet. It would be appropriate that when the respondents consider the such request for removal of the name, this yardstick can be applied.

4. In the light of the above observations, the petitioner is granted liberty to approach the Inspector of Police, Chetpet Police Station, Thiruvannamalai District with the representation seeking for removal of his name from the history sheet maintained by the respondent police and on such a representation, the Inspector of Police, Chetpet Police Station, Thiruvannamalai District shall consider the same, on its own merits and in accordance with law, as well as the observation made by this Court in this order and pass appropriate orders preferably within a period of four weeks from the date of receipt of such representation.

5. Accordingly, this writ petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

vga/ab

To

1. The Superintendent of Police,
Thiruvannamalai District.



2. The Deputy Superintendent of Police,
Polur, Sub Division,
Thiruvannamalai District.

3. The Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District.

4. The Public Prosecutor,
High Court, Madras.

W.P. No.680 of 2022

PL(CO)
RGA(10/02/2022)