

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.28417 of 2021

P.Balu

...Petitioner

Versus

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

2.The Inspector of Police,
Nellikuppam Police Station,
Cuddalore District.

...Respondents

PRAYER : This Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus by directing the first respondent to remove the name of the petitioner from the History Sheet No.509/2012 on the file of the Inspector of Police, Nellikuppam Police Station, the second respondent herein by considering the representation of the petitioner dated 16.12.2021 to secure the ends of Justice.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This petition has been filed to direct the first respondent to remove the name of the petitioner from the History Sheet No.509/2012 on the file of the Inspector of Police, Nellikuppam Police Station, the second respondent herein by considering the representation of the petitioner dated 16.12.2021 to secure the ends of Justice.

2. The petitioner, who is a history sheeter in H.S.No.509 of 2012, has sent a representation to the Superintendent of Police, Cuddalore on 16.12.2021 to remove his name from the History sheet.

3. The learned counsel for the petitioner submitted that he is a social minded person working for the upliftment of the

common man. He also served as Panchayat President for a short while. He further submitted that he is a public personality against whom false cases have been foisted and as on date, no cases are pending against him. He further submitted that the petitioner has been denied his Fundamental Rights to contest in any election and the stigma of the petitioner being shown as an history sheeter by the respondent Police is staring against him.

4. The learned Additional Public Prosecutor submitted the information sheet in which it is seen that 10 cases have been registered in 1) Crime No.525 of 2001 under Sections 147, 294, 341, 307, 506(ii) IPC R/W 3 of PPD Act - ACQ, 2) Crime No.830 of 2002 under Sections 147, 148, 447, 323, 324, 307 IPC - ACQ, 3) Crime No.373 of 2002 under Sections 147, 148, 324, 506 (ii) & 307 IPC - ACQ, 4) Crime No.150 of 2011 under Sections 110(e) & 110(f) Cr.P.C., 5) Crime No.160 of 2012 under Sections 279, 307, 379 of IPC r/w 21(1) MM Act, 6) Crime No.50 of 2016 under Sections 110 (e) & 110 (f) of Cr.P.C., 7) Crime No.373 of 2017 under Section 379, 430 IPC r/w 21(1) MM Act - Referred, 8) Security Act No. 15 of 2019 under Section 110 Cr.P.C., 9) Security Act No.08 of 2021 under Section 110 of Cr.P.C., - 1 year Bond and 10) Crime No.823 of 2021 under Section 7(1) (a) CL Act - NTF and two cases at CSR stage are pending against him.

5. This Court without going into the merits of the petitioner's contentions, directs the Superintendent of Police, Cuddalore to consider the petitioner's representation dated 16.12.2021 and to dispose of the same within a period of four weeks from the date of receipt of the copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

dna/mdl

To

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

2.The Inspector of Police,
Nellikuppam Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.A.Ramesh, Advocate SR.No.853

W.P.No.28417 of 2021

KSM(CO)
RVM(20/01/2022)