



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP(MD)No.776 of 2022

WEB COPY

K.Manikandan

... Petitioner /Complainant

vs.

1.The Superintendent of Police,
Thanjavur District.

2.The Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur District.

3.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.Pc to remove the name of the petitioner from history sheet in H.S No.201 of 2021 on the file of the third respondent.

For Petitioner : Mr.P.Sengutturasan

For Respondents : Mr.E.Antony Sahaya Prabhakar
Addl.Public Prosecutor

ORDER

Heard the learned counsel on either side.

2.The petitioner's name is figuring in the history sheet list maintained by the third respondent. There is no dispute that except Crime No.214 of 2021, there is no other case pending against the petitioner as on date. All the previous cases registered against the petitioner have ended in acquittal. Even, in Crime No.214 of 2021 which is a murder case, the petitioner was granted anticipatory bail. This is being the factual position, the petitioner's name cannot be reflected in the history sheet maintained by the third respondent.

3.The learned counsel for the petitioner draws my attention to the decision of the Madras High Court reported in **(2020) 4 MLJ (Cr1) 133 (Thirumagan vs. Superintendent of Police, Madurai District)** in which it was held that mere registration of the FIR



could not justify the action of the police to retain name in history sheet and that there should be some concluded proceedings.

4.The ratio set out in the said decision will squarely apply to the case on hand. The respondents are directed to remove the petitioner's name from the history sheet maintained by the third respondent. The criminal original petition is allowed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

skm

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,
Thanjavur District.
- 2.The Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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SB(CO)
SB(26.02.2022) 2P 5C