



WEB COPY



W.P.No.8551 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.8551 of 2022

A.V.Afroze Ahamed

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Chennai.

2. The Assistant Commissioner of Police,
Vepery Range, G-1 Veperi police
Station, Chennai- 600 007.

3 The Inspector of Police
G-1, Veperi Police Station, Veperi,
Chennai- 600 007.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.01.2020 in pursuant to remove the Petitioner's name in the History Sheet maintained by the 3rd respondent vide No.HS.No.16 /HS/G1PS/2016, dated 20.12.2016.



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For Petitioner : Mr.K.P.Chandrasekaran

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondent Police to remove the name of the petitioner from the History Sheet which is maintained in the 3rd respondent police station in HS.No.16/HS/G1PS/2016, dated 20.12.2016.

2. The case of the petitioner is that the 3rd respondent registered a case in Crime No.1615 of 2018 against the petitioner under Sections 148, 147, 341, 294 (b), 332, 353 and 506 (i) of I.P.C., r/w. Section 34 of I.P.C. Thereafter, the 3rd respondent opened a history sheet against the petitioner in the year 2016 in HS.No.16/HS/G1PS/2016. The further case of the petitioner is that the investigation was completed in F.I.R and it ended in trial in C.C.No.8529 of 2017 before the II Metropolitan Magistrate, Egmore, Chennai and the same is pending.

3. The grievance of the petitioner is that the 3rd respondent



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continues to retain the name of the petitioner in the history sheet and in order to justify the same, attempts are being made to initiate proceedings under section 110 of Cr.Pc. The petitioner made a representation on 18.01.2020 to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this Court.

4. Heard Mr.K.P.Chandrasekaran, learned counsel for the petitioner and Mr.A.Gopinath, learned Government Advocate (Crl. Side) appearing on behalf of respondents.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 3rd respondent to immediately act on the representation made by the petitioner on 18.01.2020 and deal with the same in accordance with the guidelines issued by this Court in ***[Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Anna Nagar, (L&O) Range, Maurai city, Madurai and others]*** in 2018 4 MLJ Crl. 585 and in ***[Thirumurugan and another Vs. The***



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Superintendent of Police, Madurai] reported in 2020 2 LW crl 266 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

05.07.2023

Speaking Order/Non-Speaking Order

Index: Yes/No

vum

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N.ANAND VENKATESH.J.,

vum



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