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W.P.No.21786 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.21786 of 2023

S.Chandramohan

.. Petitioner

Versus

1. The Superintendent of Police,
O/o. Superintendent of Police,
Myladudurai District.

2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Sirkazhi Sub-Division,
Sirkazhi, Myladudurai District.

3. The Inspector of Police,
Sirkazhi Police Station,
Sirkazhi, Myladudurai District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to remove the name of the petitioner in the History Sheet H.S.No.405 of 2020 maintaining by the third respondent in pursuant to petitioner representation dated 26.06.2023.

For Petitioner : M/s.P.Muthamizh Selvakumar

For Respondents : Mr.A.Damodaran,



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Additional Public Prosecutor
ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondent Police to remove the name of the petitioner from the History Sheet in H.S.No.405 of 2020 maintained by the third respondent Police by considering the representation made by the petitioner.

2. The case of the petitioner is that the third respondent registered an F.I.R in Crime No.778 of 2015 for the offences under Sections 294(b), 352 of I.P.C and a Final Report has been filed in S.T.C.No.175 of 2016 on the file of the learned Judicial Magistrate, Sirkazhi and by a judgment, dated 02.09.2026, the accused was acquitted from all the charges. Similarly, the third respondent registered another F.I.R in Crime No.1400 of 2022 and a Final Report has been filed in C.C.No.2201 of 2021 on the file of the learned Judicial Magistrate, Sirkazhi and by a judgment, dated 29.05.2023, the petitioner was acquitted from all the charges. Thereafter, the third respondent opened a History Sheet against the petitioner in the year 2020 in H.S.No.405 of 2020.



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3. The further case of the petitioner is that he has been actively involving in political activities. The grievance of the petitioner is that, though the petitioner is not involved in any criminal activities nor engaged with any antisocial elements and has always voiced for the voiceless, the third respondent Police continues to retain the name of the petitioner in the History Sheet only with personal motive and vengeance and in order to harass him. Therefore, the petitioner made representation 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 M/s.P.Muthamizh Selvakumar, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the respondents.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the third respondent to act upon the representation made by the petitioner 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*



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city, Madurai and others] in *2018 4 MLJ Crl. 585* and in [*Thirumurugan and another Vs. The 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 third respondent along with a copy of this order.

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

24.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Public Prosecutor,
High Court of Madras.
2. The Superintendent of Police,
O/o. Superintendent of Police,
Myladudurai District.
3. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Sirkazhi Sub-Division,
Sirkazhi, Myladudurai District.



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4. The Inspector of Police,
Sirkazhi Police Station,
Sirkazhi, Myladudurai District.

N.ANAND VENKATESH, J.

grs

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