



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23672 of 2023

Katta Balu @ Balu

.. Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Jayankondam,
Ariyalur-District.

3.The Revenue Divisional Officer (RDO)
Udayarpalayam,
Ariyalur District.

4.The Inspector of Police,
R.Palur Police Station,
Ariyalur District.

..Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India,



pleased to issue a Writ of Mandamus, directing the respondents to remove petitioner name from History Sheeter (HS) No.271 of 2022 of the 4th respondent police.

For Petitioner : Mr.Ilayaraja Kandasamy
For Respondents : Mr.A.Damodaran
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.271 of 2022 maintained by the 4th respondent by considering the representations made by the petitioner.

2.The case of the petitioner is that he is selling fish for his livelihood. He further stated that there is no criminal case registered or pending against him. Further there are no criminal cases filed or pending in the jurisdictional police Station, namely the 4th respondent herein. In spite of the above said situation, the 3rd respondent RDO had instituted proceedings under Section 110 of Cr.P.C., and the 4th respondent police had registered a case under Section 110 of Cr.P.C.,



against the petitioner. Further the petitioner has been vehemently treated as History Sheeter in the records of the 4th respondent. He had been vehemently threatened at his residence and his shop.

3.The grievance of the petitioner is that the 4th respondent 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 representations 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 the learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents.

5.Taking into consideration the facts and circumstances of the case, there shall be a direction to the 4th respondent to act on the representations 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 city, Madurai and others] in 2018 4 MLJ CrI. 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 4th respondent along with a copy of this order.

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

11.08.2023

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

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To

- 1.The Superintendent of Police,
Ariyalur District,
Ariyalur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Jayankondam,
Ariyalur-District.
- 3.The Revenue Divisional Officer (RDO)
Udayarpalayam,
Ariyalur District.



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- 4.The Inspector of Police,
R.Palur Police Station,
Ariyalur District.
- 5.The Public Prosecutor
High Court of Madras, Madras.



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N.ANAND VENKATESH, J

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