



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23697 of 2023

Chandrasekar

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram,
Kancheepuram District.

2.The Inspector of Police,
C2 Sunguvarchathiram Police Station.
Kancheepuram 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 the History sheet maintained against the petitioner based on his representation dated 27.07.2023.

For Petitioner : Mr. P.N. Vignesh

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

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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 maintained by the 2nd respondent by considering the representations made by the petitioner on 27.07.2023.

2.The case of the petitioner is that he was working as a Driver. He was falsely implicated in a case on the file of the 2nd respondent in Crime No.318 of 2017 on the basis of the complaint of one Murugan. The 2nd respondent had filed final report before the Jurisdictional Magistrate in C.C.No.193 of 2019 and upon conclusion of the trial, the petitioner was acquitted on 20.09.2021.

3. The further case of the petitioner is that he was falsely implicated in another case on the file of the 2nd respondent in Crime No.258 of 2019. The respondent has filed the final report before the jurisdictional Magistrate in C.C.No.140 of 2021 and the same is pending for trial. Thereafter, the 2nd respondent opened a history sheet against the petitioner.



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4.The grievance of the petitioner is that the 2nd 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 representation on 27.07.2023 to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this Court.

5.Heard the learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents.

6.Taking into consideration the facts and circumstances of the case, there shall be a direction to the 2nd respondent to act on 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 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 2nd respondent along with a copy of this order.



N.ANAND VENKATESH, J

SSR

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7.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

ssr

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram,
Kancheepuram District.
- 2.The Inspector of Police,
C2 Sunguvarchathiram Police Station.
Kancheepuram District.
- 3.The Public Prosecutor,
High Court of Madras, Madras.

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