



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.25958 of 2023

S.Kamesh

... Petitioner

Vs.

1.The Commissioner of Police,
O/o. the Commissioner of Police,

2.The Joint Commissioner of Police,
New Washermenpet, Chennai.

3.The Assistant Commissioner of Police,
O/o. Joint Commissioner of Police,
New Washermenpet, Chennai.

4.The Inspector of Police,
H5 Police Station,
New Washermenpet, Chennai.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the 2nd respondent to remove the petitioner's name from the History Sheet (Rowdy List) maintaining by the 4th respondent in pursuant to the representation dated 12.07.2023.



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For Petitioner : Mr.B.Karuppasamy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to remove the petitioner's name from the History Sheet (Rowdy List) maintaining by the 4th respondent in pursuant to the representation dated 12.07.2023.

2.The case of the petitioner is that the petitioner is working as Gym Trainer. Further, in the year 2009, he was implicated as an accused in connection with murder case. After conducting the trial, petitioner was acquitted from all the charges by the Trial Court in the year 2011. Thereafter, he did not commit any offence and there was no criminal case registered against the petitioner. While so, when the above case was pending against the petitioner, his name was added in the History Sheet which is maintained by the 4th respondent. Even after being exonerated from all charges, the petitioner's name is still maintained in the History



Sheet.

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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.P.C. The petitioner made a representation on 12.07.2023 to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this Court.

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 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 4th respondent along with a copy of this order.

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

04.09.2023

Index : Yes/No

Internet : Yes/No

Speaking/Non-Speaking Order

ssr

To

- 1.The Commissioner of Police,
O/o. the Commissioner of Police,
- 2.The Joint Commissioner of Police,
New Washermenpet, Chennai.
- 3.The Assistant Commissioner of Police,
O/o. Joint Commissioner of Police,
New Washermenpet, Chennai.
- 4.The Inspector of Police,
H5 Police Station,
New Washermenpet, Chennai.



5. The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH, J

SSI

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