



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.28197 of 2023

Kalvipriyan Neethiraja

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Thiruthuraipoondi Division,
Thiruvarur District.

3.The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to remove the petitioner name in the History Sheet No.1/2020 maintaining by the 3rd respondent in pursuant to petitioner representation dated 29.08.2023.



For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed to direct the respondents to remove the petitioner name in the History Sheet No.1/2020 maintained by the 3rd respondent in pursuant to petitioner representation dated 29.08.2023.

2.The case of the petitioner is that the petitioner is doing the multimedia E Seva Centre and also part in political activities raised voice against the Social democratic deprivation. In which he participated so many protest involved the public cause and welfare activities. In such time, the 3rd respondent herein registered the case against the petitioner in Crime No.1362 of 2020 of IPC and 51 of the Epidemic Diseases Act, 2005.

3.The further case of the petitioner is that, after completing the investigation in Crime No.1362 of 2020, charge sheet was filed and the case was taken up for trial in S.C.No.15 of 2021 and after conducting the trial, petitioner was acquitted



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from all the charges by the learned Chief Judicial Magistrate Court, Thiruvarur on 12.05.2022. After that, the 3rd respondent registered another case in Crime No.1266 of 2021 is still under investigation. In spite of the above situation, his name was added in the History Sheet which is maintained by the 3rd respondent.

4.The grievance of the petitioner is that the 3rd 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 29.08.2023 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 3rd 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 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 3rd respondent along with a copy of this order.

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

27.09.2023

Speaking Order : Yes/No

Index : Yes/No

Internet : Yes/No

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To

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

2.The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Thiruthuraipoondi Division,
Thiruvavur District.



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3. The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.

4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J

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