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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.509 of 2024

Nehru @ James

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Thittagudi Sub Division,
Cuddalore District.

3.The Inspector of Police,
Thittagudi Police Station,
Cuddalore District.

...Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st and 3rd respondent to remove the petitioner's name from the History sheet vide H.S. No 9 / 2007 maintained at Third Respondent police by considering the representation of the petitioner dated 02.12.2022 and 26.12.2023 in accordance with law.

For Petitioner

: Mr.M.Velmurugan

For Respondents

: Mr.A.Damodaran
Additional Public Prosecutor



ORDER

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This writ petition has been filed to direct the respondents 1 and 3 to remove the petitioner name in the History Sheet vide H.S.No.9/2007 maintained by the 3rd respondent in pursuant to petitioner representations dated 02.12.2022 and 26.12.2023.

2.The case of the petitioner is that he is an active member and District organizer of a Political Party and he has been actively involving in political demonstrations. The grievance of the petitioner is that, though the petitioner is not involved in any criminal activities nor engaged with any antisocial elements, the 3rd respondent Police continues to retain the name of the petitioner and call upon the petitioner to attend the enquiry in the Police Station in a routine manner.

3The 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 representations on 02.12.2022 and 26.12.2023 to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this Court.



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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 3rd 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 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.

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

10.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr



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N.ANAND VENKATESH, J

SSR

To

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Deputy Superintendent of Police,
Thittagudi Sub Division,
Cuddalore District.
- 3.The Inspector of Police,
Thittagudi Police Station,
Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.

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