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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.519 of 2024

Muthusamy

... Petitioner

Vs.

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

2.The Inspector of Police,
Avinangudi Police Station,
Cuddalore District.

...Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to remove the name of the Petitioner from the History Sheet No.3/2016, maintained by the 2nd respondent police station by considering the representation of the Petitioner dated 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 to remove the petitioner's name in the History Sheet vide H.S.No.3/2016 maintained by the 2nd respondent in pursuant to petitioner's representation dated 26.12.2023.

2.The case of the petitioner in the year 2016, a false criminal case was registered against the petitioner and in that case, the petitioner was acquitted in the year 2018. Further there are no criminal cases filed or pending against the petitioner in the jurisdictional police Station, namely the 2nd respondent herein. In spite of the above said situation, the 2nd 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 vide H.S.No.3 of 2016 in the records of the 2nd respondent.

3.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 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 2nd 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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To



N.ANAND VENKATESH, J

SSR

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Inspector of Police,
Avinangudi Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.

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