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W.P.No.1780 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1780 of 2024

M.Saravanan

... Petitioner

Vs.

1.The Superintendent of Police
District Police Superintendent Office,
Sankari Main Road,
Nethimedum,
Salem District – 636 002.

2.The Deputy Superintendent of Police,
Mettur Taluk,
Salem District – 636 401.

3.The Inspector of Police,
Kolathur Police Station,
Kolathur Post,
Mettur Taluk,
Salem District – 636 303.

... 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's name from the history sheet rowdy list in H.S.No.359 of 2013 on the file of the third respondent Police.

For Petitioner : Mr.D.Shivakumaran
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This petition has been filed seeking to remove the name of the petitioner from the History Sheet which is maintained in the third respondent police station in H.S.No.359 of 2013.

2.The case of the petitioner is that the petitioner is an Auto Rickshaw Driver. Further, in the year 2010 and 2012, he was implicated as accused in connection with injury and abuse case. After conducting the trial, petitioner was acquitted from all the charges by the Trial Court in the year 2012 and 2016. Thereafter, he did not commit any offence and there was no criminal case registered against the petitioner. While so, when the case of the year 2012 was pending against the petitioner, his name was added in the History Sheet which is maintained by the third respondent. Even after being exonerated from all charges, the petitioner's name is still maintained in the History Sheet.

3.The grievance of the petitioner is that the third 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

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representation on 07.09.2021 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 the 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 third 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 third respondent along with a copy of this order.



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

29.01.2024

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Superintendent of Police
District Police Superintendent Office,
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Salem District – 636 002.
- 2.The Deputy Superintendent of Police,
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N.ANAND VENKATESH,J.
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