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W.P.No.6782 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.6782 of 2024

Saravanan

.. Petitioner

Vs.

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

2.The Inspector of Police,
Attur Town Police Station,
Salem District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to remove the name of the petitioner from the History Sheet No.15 of 2023 on the file of Inspector of Police, Attur Town Police Station, Salem District, 2nd respondent herein by considering the representation of the petitioner dated 06.01.2024 to secure ends of Justice.

For petitioner : Mr.A.Ramesh

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This Writ Petition has been filed for a direction to the 1st respondent to remove the name of the petitioner from the History Sheet No.15 of 2023 on the file of the 2nd respondent by considering the petitioner's representation dated 06.01.2024.

2.The case of the petitioner is that during November 2023 at Sathasivapuram Village, there was a criminal attack between two community people and however, after 15 days from the date of occurrence, no case has been registered by the Police. When the petitioner sought for permission from the Attur Town Police Station to give a complaint petition to the Superintendent of Police, the Police officers from Attur Town Police Station called upon under the guise of enquiry and informed the petitioner that during the year 2021, there are many cases registered against him and arrested him.

3.The further case of the petitioner is that before coming out of the prison, the 2nd respondent filed a history sheet vide Ref.HS.No.15/2023. However, at present the 2nd respondent is trying to register a further case under Section 110.



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4.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.P.C. The petitioner made a representation on 06.01.2024 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 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 2nd 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



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weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of this order.

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

18.03.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.The District Superintendent of Police,
Salem District,
Salem.
- 2.The Inspector of Police,
Attur Town Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



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N.ANAND VENKATESH, J.

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