



W.P.No.33110 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.33110 of 2024 and
W.M.P.No.35865 and 35867 of 2024

C.Babu @ Kuruvibabu

... Petitioner

Vs.

1. The Assistant Commissioner of Police
Annadhanapatty, Salem District

2. The Inspector of Police
Annadhanapatty Police Station
Annadhanapatty, Salem District

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India to issue a Writ of Certiorari calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No.Nil, dated 03.09.2024 and quash the same.



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For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Writ Petition is filed to quash the impugned order passed by the 2nd respondent in his proceedings No.Nil, dated 03.09.2024 and to remove the name of the petitioner from the History Sheet.

2. The learned counsel for the petitioner submitted that earlier also they filed a similar petition before this Court in W.P.No.7989 of 2024 and this Court by order dated 22.03.2024, had directed the first respondent to consider his representation in accordance with law. Since the respondents police had not complied with the directions of this Court, they filed contempt petition against the respondents in Cont.P.No.2923 of 2024 and the same is pending due to which, the petitioner was threatened by the respondent police and subsequently, the impugned order was passed rejecting the representation of



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the petitioner to remove his name from the History Sheet. Hence, challenging the same the present petition is filed.

3. As per the directions of this Court dated 06.11.2024, the respondents have filed counter and a perusal of the counter affidavit shows that fifteen cases have been registered against the petitioner in which, ten cases ended into acquittal. Two cases have been disposed as referred charge sheet and two cases under investigation and none of the cases ended in conviction. When the respondent police is unable to file charge sheet for getting conviction, maintenance of the History Sheet would not serve the purpose.

4. Under these circumstances, the respondents police are directed to remove the name of the petitioner from the History Sheet.

5. The Probational Officer, Annadhanapatty, Salem District is directed to monitor the behaviour of the petitioner for six months from the date of receipt of a copy of this order and file a report before the concern Magistrate.



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6. With the above directions, this Writ Petition is allowed. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

21.12.2024

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
ksa-2



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To

1. The Assistant Commissioner of Police
Annadhanapatty
Salem District

2. The Inspector of Police
Annadhanapatty Police Station
Annadhanapatty, Salem District

3. The Public Prosecutor
High Court of Madras

Copy to:

**The Probational Officer,
Annadhanapatty, Salem District**



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P.VELMURUGAN. J.

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