



WEB COPY



W.P.Crl.No.624 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

W.P.Crl.No.624 of 2025

J.Vijaya Sarathy

... Petitioner

Vs.

1. The Commissioner of Police,
Chennai City Police, Chennai – 600 007.
2. The Additional Commissioner of Police,
Chennai City Police (North), Chennai – 600 007.
3. The Joint Commissioner of Police,
Chennai City Police, Chennai North,
T.H.Road, Tondiarpet, Chennai – 600 081.
4. The Joint Commissioner of Police,
Chennai City Police, (Intelligence Section),
O/o. Commissioner of Police,
Chennai – 600 007.
5. The Deputy Commissioner of Police,
Chennai City Police, Washermanpet,
New Washermanpet, Chennai – 600 081.
6. The Assistant Commissioner of Police,
Chennai City Police, Royapuram,
Chennai – 600 013.
7. The Inspector of Police (Law and Order),
N1 Royapuram Police Station,
Chennai – 600 013.

... Respondents



W.P.Crl.No.624 of 2025

PRAYER : Writ Petition Criminal is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 20.05.2025 and to delete the name of the petitioner from the history sheet list No.3/2025 dated 14.05.2025 order passed by the sixth respondent.

For Petitioner : Mr.U.Nirupen Chakravarthy

For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

The Writ Petition Criminal has been filed seeking a direction to the first respondent to consider the petitioner's representation dated 20.05.2025 and to remove the petitioner's name from the History Sheet bearing No.3/2025.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a business man and is also involved in politics. Based on a complaint given by one Dhilipanraj, the seventh respondent police had implicated the petitioner as accused for the offence under Sections 147, 148, 341, 294 (b), 323, 324 & 506(2) IPC in Crime No.1082 of 2021. However, the same was quashed by this Court in Crl.O.P.No.16561 of 2021 dated 24.09.2021. Thereafter, on the basis of false complaints, several cases were



W.P.Crl.No.624 of 2025

WEB.COM

registered against the petitioner. In continuation thereof and in order to harass the petitioner and restrict his movements, even though, the petitioner has not involved himself in any further criminal activities, a History Sheeted Rowdy Book was opened against him at the seventh respondent police station in HS.No.3 of 2025, at the instigation of the superior officers in the Police Department. The petitioner has also been compelled to attend the police station under the pretext of enquiry on a routine manner. In this regard, the petitioner had already made representations dated 17.03.2025 and 20.05.2025 to the respondents seeking deletion of his name from the History Sheet, but the respondents have not considered the same till date. Hence, the present petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner is an habitual offender indulging in rowdy activities, extortion, etc. Hence, a History Sheeted Rowdy Book was opened at the seventh respondent police station against the petitioner and is being extended regularly as per the Police Standing Order. Hence, he prays for dismissal of the petition.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and



perused the materials available on record.

WEB COPY

5. The issue involved in this Writ Petition has already been dealt with by the Madurai Bench of this Court and detailed order has been passed in W.P.(MD)No.19651 of 2017 on 26.09.2018. On the basis of the above said Order, the Director General Of Police, Chennai issued a circular in Rc.No. 66569/Crime 3(2)/2019 dated 24.04.2019, which reads as follows :-

7.From the above judgments the following principles emerge insofar as history sheeters are concerned:

a. In order to facilitate the study of crime and criminals, the Police Standing Orders provides a mechanism, whereby every Police Station shall maintain a crime history, which shall be a confidential record. In this record all cases of crime that are mentioned in PSO No.742, which provides various classes of crime, shall be entered and even an attempt to commit those offences, are entered in the records maintained in the Police Station.

b. These crime records maintained by the Various Police Stations shall be reviewed every year by the Inspector of Police of the concerned Police Station. On such review, the Inspector of Police has to furnish a concise appreciation of the year's crime for the benefit of the Superior Officers and also to make suggestions in



WEB COPY



W.P.Crl.No.624 of 2025

order to improve the quality of crime control. The review undertaken by the Inspector of Police is not merely a catalogue of the crime in the year. It should reflect the valuable suggestions in order to prevent such crimes in future and to provide ways and means of handling serious offences in an effective manner.

c. History Sheet can be opened by the concerned Police Station under two circumstances. The first circumstance is provided under PSO No.746, which states that the history sheet can be opened against a person who is a resident (permanently or temporarily) within the station limit, who is known or believed to be addicted to commission of crime, whether convicted or not. Here the thrust is on the habituality or the propensity to commit a crime by a person, which is sought to be monitored by opening a history sheet.

d. The second category of persons against whom history sheet can be opened are the persons, who are convicted for various offences that has been listed in PSO No.747, wherein opening of the history sheet is automatic.

e. In the first category of opening history sheet, month wise scrutiny or a close watch on the person concerned is contemplated. Here also there is sub-categorization as, close watch bad characters and non-close watch bad characters. In the former, the entry shall be made month wise and in the later, the entry shall be made once in a quarter. What is entered is normally



WEB COPY



W.P.Crl.No.624 of 2025

*anything of interest in respect of the bad character, which goes to the notice of the Police. These records must be checked and brought upto date once in a year. Here the main thrust is on “**Current Doings**”.*

f. In the second category of opening history sheet, a mere act of conviction under the offences listed in PSO No.747 is enough. The name of the persons, who have been convicted for those offences can be retained for a period of two years after their release from jail.

g. PSO No.748, is the most important provision, which deals with discontinuance of history sheet. This provision is common to both the categories falling under PSO Nos.746 and 747. As per PSO No.748, the Superintendent of Police may order a closure of a history sheet at any time. But, the Divisional Officer can order closure of history sheet only after the expiry of the period stipulated in PSO No.747.

h. As per PSO 748, where retention of the history sheet is considered to be necessary, even after two years of registration, orders of an Officer of and above the rank of Assistant Superintendent of Police/ Deputy Superintendent of Police must be taken for extension for the first instance upto the end of next December. For further annual extension from January to December, separate orders must be passed every time by an Officer of and above the rank of Assistant Superintendent of Police / Deputy Superintendent of Police. This provision is made



WEB COPY



W.P.Crl.No.624 of 2025

applicable even for rowdy sheeters.

i. For the purpose of passing such orders, there must be valid materials available on record and it cannot be passed on the whims and fancies of the Police Officers. Therefore, the authority empowered to extend the period of retention of the names of the persons in the history sheet, should record his reasons based on both objective and subjective instructions.

j. Branding a person as a history sheeted rowdy, taints the name and image of the person. It is true that the entire purpose of maintaining a history sheet is to ensure public peace. However, it should be balanced with the fundamental right guaranteed to every citizen under Article 21 of the Constitution of India. Therefore, a fair and reasonable decision, based on the materials, with sufficient reasons, becomes sine qua non to retain the name of a person as a history sheeter beyond the period stipulated in the Police Standing Orders.

*k. This Court has time and again brought the above principle to the notice of the Higher Police Officials and in one of the judgments in **Manivanan Vs. State represented by The District Collector, Coimbatore District and Others, reported in (2013) 7 MLJ 501**, this Court felt that there is lack of understanding on the part of the Police in maintaining history sheet and therefore, directed the Director General of Police to issue necessary instructions / guidelines / circulars with regard to the*



WEB COPY



W.P.Crl.No.624 of 2025

manner in which it has to be maintained and the manner in which the orders will have to be passed for extension of the period to continue a person as a history sheeter.

8.The above principles that has been culled out of various decisions of this Court will now be applied to each case in order to see if the Police officials have scrupulously followed all the Police Standing Orders and the judgments of this Court, while retaining the name of a person as a history sheeter, beyond the stipulated period.

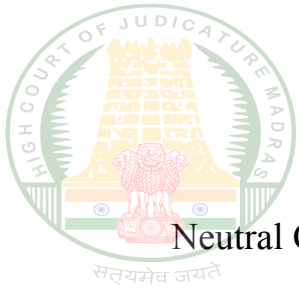
6. In view of the above circular passed by the Director General of Police, Chennai, this Court is inclined to pass the following orders :-

(i) the first respondent is directed to consider the petitioner's representation, dated 20.05.2025 and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this Order.

7. Accordingly, this Writ Petition Criminal stands disposed of with the aforesaid direction. No costs.

20.08.2025

ham



W.P.Crl.No.624 of 2025

Neutral Citation: Yes/No

WEB COPY

1. The Commissioner of Police,
Chennai City Police, Chennai – 600 007.
2. The Additional Commissioner of Police,
Chennai City Police (North), Chennai – 600 007.
3. The Joint Commissioner of Police,
Chennai City Police, Chennai North,
T.H.Road, Tondiarpet, Chennai – 600 081.
4. The Joint Commissioner of Police,
Chennai City Police, (Intelligence Section),
O/o. Commissioner of Police,
Chennai – 600 007.
5. The Deputy Commissioner of Police,
Chennai City Police, Washermanpet,
New Washermanpet, Chennai – 600 081.
6. The Assistant Commissioner of Police,
Chennai City Police, Royapuram,
Chennai – 600 013.
7. The Inspector of Police (Law and Order),
N1 Royapuram Police Station,
Chennai – 600 013.
8. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.

ham



WEB COPY



W.P.Crl.No.624 of 2025

W.P.Crl.No.624 of 2025

20.08.2025