



W.P.No.36450 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM:

THE HONOURABLE Mr.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.36450 of 2023

and

WMP.No.36464 of 2023

A.V.Afroze Ahmed

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Chennai.
2. The Assistant Commissioner of Police,
Vepery Range, G-1, Veperi Police Station,
Chennai-600 007.
3. The Inspector of Police,
G1 Veperi Police Station,
Veperi, Chennai-600 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned History Sheet dated 26.09.2023 passed by the 3rd respondent and to quash the same and thereby further direct the respondent police to pay the compensation of Rs.1,00,000/- for continuously harassing the petitioner by the way of History Sheet.



W.P.No.36450 of 2023

WEB COPY

For Petitioner : Mr.G.Kanagaraju

For Respondents: Mr.K.M.D.Muhilan
Govt. Advocate (Crl. Side) for R1 to R3

ORDER

This writ petition has been filed challenging the history sheet created against the petitioner by the 3rd respondent dated 26.09.2023 and quash the same and thereby, further direct the respondent police to pay the compensation of Rs.1,00,000/- for continuously harassing the petitioner by way of history sheet.

2. Though the petitioner filed this Writ Petition for removal of his name from the history sheet and also sought compensation, the learned counsel for the petitioner would submit that he restricts the prayer only to removal of his name from the history sheet.

3. The learned Government Advocate (Crl. Side) appearing for the respondents, on instructions, states that so far no representation has been



W.P.No.36450 of 2023

WEB COPY

received from the petitioner for removal of his name from the history sheet.

4. Heard the learned counsel for both sides and perused the materials available on record.

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.133410/Crime4(3)/2018 dated 05.10.2018, which reads as follows :-

The Hon'ble Madurai Bench of Madras High Court in its order dated 26.09.2018, in a batch of cases, in the reference second cited, while quashing the History Sheet maintained in certain Police Stations and which are challenged before the Hon'ble Court, has observed and directed as follows :-

"28..... there is a general pattern adopted trend by the Police to continue to retain the names of the persons in the history sheet showing them as rowdies



W.P.No.36450 of 2023

WEB COPY

without any justifiable reasons. The Police did not realise that the purpose of opening a history sheet is to keep surveillance and check on hardened and habitual criminals in order to maintain peace and tranquility in the society.

29.As mentioned above, it also becomes the duty of the Police to keep reviewing the history sheet regularly to ensure that the persons, who are no longer required to be retained in the list are removed from the list, since it involves the dignity and public image of a person

30.Whenever representations are made by the persons whose names are found in the history sheet, it is the duty of the respondent Police to consider the same It will be of no use for the respondent Police to keep the representation pending even without considering them and driving the concerned persons to file appropriate petition before this Court. This Court only hopes that the Police learns a lesson at least after the passing of this order, to be more sensitive and serious in maintaining history sheet.

31..... The Police seems to be adopting the practice of registering FIRs against the persons under Sections 109 and 110 of CrPC, just to open the history sheet and to justify the continuance of the name of the persons in the history sheet. automatic opening of history



W.P.No.36450 of 2023

WEB COPY

sheet can be done only if the person has been convicted more than twice under Section 109 of CrPC and more than once under Section 110 of CrPC. Therefore, mere registration of an FIR under Sections 109 and 110 of CrPC can never justify the action of the Police in continuing to retain the name of the person in the history sheet.

32.....

33.This Court wants to make it clear that in all future cases, where the retention of the name of a person in history sheet becomes a subject matter of challenge before this Court, if this Court finds that the name of the person has been retained without any justification and is in contravention with PSO Nos.746 to 748 and the guidelines given by this Court, compensation will be granted to the victims and the same will be directed to be recovered from the monthly salary of the Inspector of Police in whose station the history sheet is being maintained....."

2. Provisions contained in PSO 746 to 748 and the above orders of the Hon'ble High Court shall be followed scrupulously while maintaining the history sheets by the SHOs.

3. All Sub-Divisional Officers shall periodically review all History sheet files and Rowdy sheet files



W.P.No.36450 of 2023

WEB COPY

maintained in the Police Station under their jurisdiction.

4. IGPs in Zones, COPs in cities and the SPs in District shall sensitize all the Police personnel working under their jurisdiction in this regard and also review the cases periodically."

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

(i) The petitioner is directed to submit a fresh representation before the second respondent within a period of two weeks from the date of receipt of a copy of this Order.

(ii) On receipt of such representation, the second respondent is directed to consider the representation, in view of the direction issued by this Court and pass orders on merits within the period of twelve weeks from the date of the receipt of the representation.

7. With the above directions, the writ petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.



W.P.No.36450 of 2023

WEB COPY

06.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kmi

To

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Greater Chennai,
Chennai.
2. The Assistant Commissioner of Police,
Vepery Range, G-1, Veperi Police Station,
Chennai-600 007.
3. The Inspector of Police,
G1 Veperi Police Station,
Veperi, Chennai-600 007.
4. The Public Prosecutor,
High Court of Madras.



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W.P.No.36450 of 2023

G.K.ILANTHIRAIYAN, J.

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W.P.No.36450 of 2023

06.03.2025