



W.P.No.37602 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2025

CORAM:

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

W.P.No.37602 of 2024

Manikandan Chinnasamy

... Petitioner

Vs.

1. The District Superintendent of Police
Cuddalore District
Cuddalore.

2. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer
Vridhachalam 606 001.

3. The Inspector of Police
Veppur Police Station,
Veppur,
Cuddalore District 606 304.

... Respondents

Prayer : The Writ petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 3rd respondent to grant the copy and details of History Sheet made against the petitioner and direct the 2nd respondent to grant the order passed by the 2nd respondent under Section 110 of Cr.P.C., passed against me.



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For Petitioner : Mr.T.Sivagnanasambandan
For Respondents : Mr.P.Balathandayutham
Special Government Pleader
for R2
: Mr.K.M.D.Muhilan
for R1 and R3

ORDER

This Writ Petition has been filed seeking a direction to the 3rd respondent to grant the copy and details of History Sheet made against the petitioner and direct the 2nd respondent to grant the order passed by the 2nd respondent under Section 110 of Cr.P.C., passed against the petitioner.

2. A perusal of the Status report filed by the first respondent reveals that, so far, the petitioner has been involved in five cases, in which, for four cases, the investigation has been already completed and final reports have also been filed and the same has been pending for taking cognizance. Thereby, as against the petitioner history sheet is created and the History Sheet number is assigned as H.S.No.9 of 2022 as on 01.10.2022. Further, the copy of the details of the History Sheeter cannot be provided since the petitioner is not entitled for the same. However, the petitioner can submit a representation to remove his name



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from the history sheet, if any representation received, the first respondent is directed to consider representation and dispose the same in accordance with law:

3. 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 without any justifiable reasons. The Police did not realize that the purpose of opening a history sheet is to keep surveillance and check on hardened and habitual



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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 sheet can be done only if the person has been



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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



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maintained in the Police Station under their jurisdiction.

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

4. 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 respondents within a period of two weeks from the date of receipt of a copy of this Order.

(ii) On receipt of such representation, the third 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.

5. With the above directions, the writ petition stands disposed of.
There shall be no order as to costs.

28.02.2025

Vv

To

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