

**OFFICE OF THE DIRECTOR GENERAL OF POLICE
PUDUCHERRY**

No. 04/DGP/SECY/2017-74

Dated: 25.07.2020.

ADDENDUM

Sub: Standing Order No. 02 of 2017 regarding "Opening & Maintaining History Sheets in the Police Stations" – Addendum – Issued.

Ref: This Office even No., dated 06.07.2017.

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Attention is drawn to the Standing Order No. 02 of 2017, dated 06.07.2017 regarding "Opening & Maintaining History Sheets in the Police Stations". In this regard, the following Addendum is issued, with immediate effect, as per the directives issued by the Hon'ble Madurai Bench of Madras High Court in WP (MD) No. 21040 of 2018 & etc. batch cases of 'Thirumagan & P. Madasamy vs. Superintendent of Police, Madurai Dt. & Ors., dated 03.07.2020' :

- i. The History Sheet cannot be retained merely on the ground that (a) the investigation agency has not filed any Final Report or (b) where the case is pending trial beyond two years time as provided.
- ii. The History Sheet cannot be retained for a period of more than two years unless a fresh case is registered (which may be either under investigation or pending trial in the Court), subsequent to the case/cases which necessitated opening of the History Sheet.
- iii. Where no subsequent case is registered, a former convict should not be treated as a suspect.

- iv. In reckoning the number of cases for treating a person as *habitually given* to commit a crime, cases where (a) the investigation agency has dropped a case, or (b) where the FIR was closed under Sec. 468 Cr.P.C by the Court, which is empowered to take cognizance of an offence on a Police report, or (c) where a history sheet has been discharged or acquitted by a competent Court, and/or (d) quashed by the Hon'ble High Court or the Hon'ble Supreme Court shall not be included. However, those cases where the investigation or trial is pending, they can be reckoned. This direction has no application to National Registry for Sexual Offenders, maintained under the Criminal Law Amendment Act, 2018.
- v. Where cases are registered in connection with a citizen participating in any peaceful protest, agitation or demonstration or the like, History Sheet should not be opened unless an order is passed by the Executive Magistrate under Sec. 107 or 110 Cr.P.C. This is not available to non-citizens. It is clarified that if any other offence alleging violence or damage of property or threat to personal safety or life of other citizens is also involved, the directions given herein is not applicable.
- vi. A District-wise Committee is constituted as follows, to examine all the cases of history-sheeting on the basis of parameters herein above provided within a period of one year :

(a) History Sheet Examining Committee of Puducherry District :

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| 1. Senior Supdt. of Police (L&O), Puducherry | - | Chairman |
| 2. Superintendent of Police (PTS) | - | Member |
| 3. Commandant (PAP), Puducherry | - | Member |

(b) History Sheet Examining Committee of Karaikal District :

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|--------------------------------------|---|----------|
| 1. Senior Supdt. of Police, Karaikal | - | Chairman |
| 2. Superintendent of Police (PTS) | - | Member |
| 3. Commandant (PAP), Puducherry | - | Member |

- vii. The paragraph mentioned vide page No.2 under "Other History Sheets → (c) Suspect Sheets" and point No. (i), mentioned vide page No.4 under "General Instructions" regarding the 'Suspect', in the Standing Order No. 02/2017, dated 06.07.2017, shall be dispensed forthwith.

Balaji
(BALAJI SRIVASTAVA, IPS)
DIRECTOR GENERAL OF POLICE
PUDUCHERRY

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Distribution :
All concerned