

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.Nos.13628 and 13629 of 2016

M.Vengetesan ... Petitioner in both Crl.OPs

Vs

The State rep by
The Inspector of Police,
Ponneri Police Station,
Ponneri. ... Respondent in Crl.OP.13628/16
(in Crime No.207/12)

The State rep by
The Inspector of Police,
Thirunindravur Police Station,
Thirunindravur. ... Respondent in Crl.OP.13629/16
(in Crime No.613/15)

Crl.OP.No.13628 of 2016 : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to file final report in Crime No.207 of 2012 on the file of the respondent Police, Ponneri Police Station, Ponneri within a stipulated period.

Crl.OP.No.13629 of 2016 : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to file final report in Crime No.613 of 2005 on the file of the respondent Police, Thirunindravur Police Station, Thirunindravur within a stipulated period.

For Petitioner : Mr.X.Selvam Sounder
in both Crl.OPs

For Respondent : Mr.C.Emalias, APP
in both Crl.OPs

COMMON ORDER

These petitions have been filed to direct the respondent Police to file final reports in Crime No.207 of 2012 and 613 of 2005 respectively.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. The petitioner's son Sathish Kumar went missing from
22.05.2005 and it was suspected that he had eloped with one

Esther Amala, who got married to Samuel and has a child through him. On the complaint given by Samuel, the Sub Inspector of Police, Thirunindravur Police Station registered a case in Crime No.613 of 2005 for man and child missing. In the year 2012, the petitioner gave a complaint to the Sub Inspector of Police, Ponneri Police Station to trace his son Sathish Kumar and on the said complaint, a case in Ponneri P.S.Crime No.207 of 2012 for man missing had been registered. The petitioner filed HCP.No.316 of 2012 arraying the Inspector of Police, Ponneri Police Station and the Inspector of Police, Thirunindravur Police Station and this Court disposed of the petition on 27.08.2012, with a direction to the Inspector of Police, Thirunindravur Police Station and the Inspector of Police, Ponneri Police Station to expeditiously complete the investigation in the respective crime numbers. Under such circumstances, the petitioner has filed the aforesaid two petitions for a direction to the respective Police Stations to complete the investigation and file final reports.

4. Today, Mr.G.Annadurai, Inspector of Police, Ponneri Police Station is present before this Court.

5. Learned Additional Public Prosecutor on instructions, submitted that Thirunindravur Police Station have completed the investigation in Crime No.613 of 2005 and they have not been able to serve the RCS notice on Samuel [the de facto complainant therein] and that is why, the same is kept pending. Similarly, the Inspector of Police, Ponneri Police Station is also ready to complete the investigation and file a report before the concerned Court.

6. In a case of man missing, the Police cannot file a closure report because, at any time, either the body can be found or the person can return. The cases can be closed only temporarily, after narrating the steps taken by the Police to trace the missing person.

7. Under such circumstances, the Inspector of Police, Thirunindravur Police Station and the Inspector of Police, Ponneri Police Station are directed to exchange their information in cooperation and file the interim closure reports before the jurisdictional Court within two months from the date of receipt of a copy of this order.

With the above direction, these petitions are closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

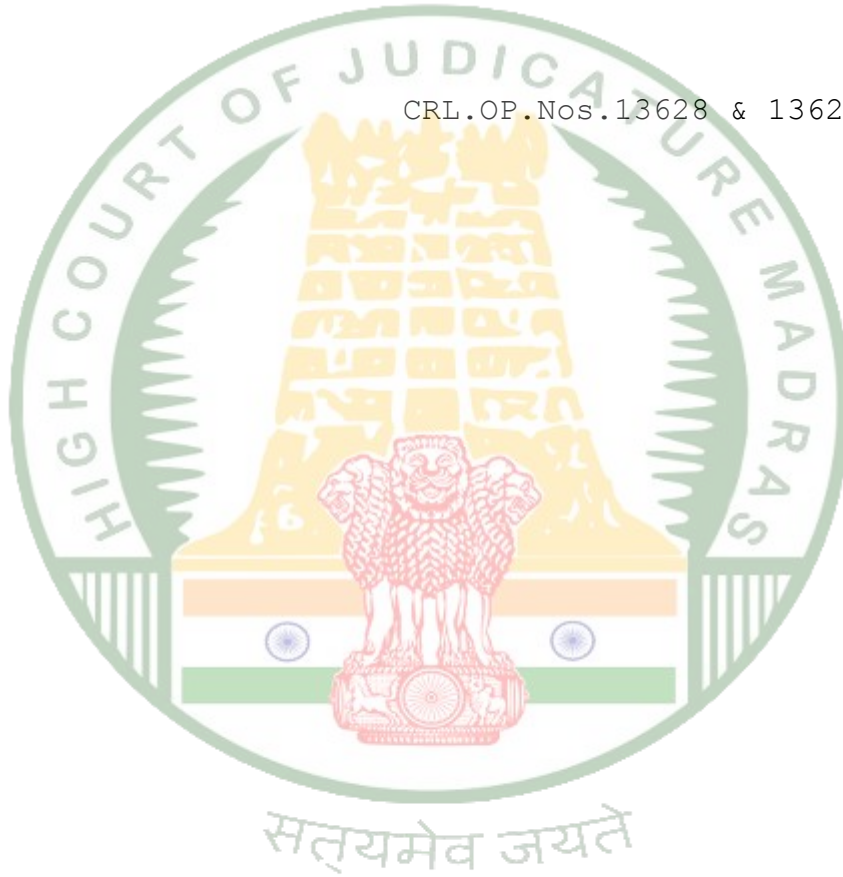
1.The Inspector of Police,
Ponneri Police Station,
Ponneri.

2.The Inspector of Police,
Thirunindravur Police Station,
Thirunindravur.

3.The Public Prosecutor,
High Court, Madras.

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