



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P. (MD)No.15248 of 2020

Kottaiyammal alias Kottiyammal

: Petitioner

vs.

1. The Superintendent of Police,
Thoothukudi District.

2. The Inspector of Police Station,
Kayathar Police Station,
Thoothukudi District.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent to issue Non Traceable Certificate to the petitioner based on his on-line complaint dated 09.11.2020.

For Petitioner : Mr.V.Muthuvelan
For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 2nd respondent to issue Non-Traceable Certificate to the petitioner based on her on-line complaint dated 09.11.2020.

2.The learned counsel for the petitioner would state that on 03.11.2020, while the petitioner who is 80 years old, had gone to the xerox shop at East Bazaar Auto Stand, Kayathar Town, she missed her original registered documents in Nos.1352/1984, 858/1983, 722/1984 and 1354/1984. She searched the same with her relatives in and around the Bazaar and in various places, where she had gone, but the documents could not be traced out and therefore, she lodged on-line complaint to the Tamilnadu Police vide CCTNS-Portal in Reference No.CDP20134581 and the same was acknowledged with the subject matter as Document Missing. According to the petitioner, the said complaint was forwarded to the 2nd respondent and the petitioner was directed to produce certain documents. Even after production of said documents and conducting enquiry, till date, the respondents neither issued non traceable certificate nor rejected the petitioner's complaint.



Thereafter, the 2nd respondent simply stating that the petitioner has not missed the above documents has rejected the complaint. Therefore, the petitioner filed appeal to the 1st respondent by way of another complaint on 12.12.2020 by registered post and though it was acknowledged, no action has been taken. Hence, this petition.

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3.The learned Additional Public Prosecutor on instructions, would state that on the petitioner's online complaint dated 09.11.2020, enquiry was conducted and it was ascertained that the petitioner had not misplaced the documents in the jurisdictional police station limit and therefore, the complaint was closed.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

5.The petitioner is aged 80 years old. Admittedly, she has given a complaint for missing of the above documents. Though the learned Additional Public Prosecutor had stated that enquiry has been conducted, wherein, it was ascertained that the petitioner had not misplaced the documents in the jurisdictional police station limit, it appears to be a formal reply, without actually taking any steps by following the procedure in the matter of missing documents. The petitioner has also produced all the documents required by the respondents/police.

6.Therefore, considering the facts and circumstances of the case, the respondents are directed to take action on the on-line complaint of the petitioner dated 09.11.2020 genuinely by considering the age of the petitioner who is 80 years old and by following the procedure and if the document could not be traced out despite best efforts, the respondents/police shall issue non traceable certificate and such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (AE)

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The Superintendent of Police,
Thoothukudi District.
2. The Inspector of Police Station,
Kayathar Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

BALA/VRN

TE : 19/01/2021 : 3P/4C

ORDER MADE IN
Crl.O.P. (MD)No.15248 of 2020
DATED : 21.12.2020