

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.03.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
WP No.5023 of 2021

S.M.Srilekha Pradeepa

... Petitioner

vs.

1. The Inspector of Police,
V6 Kolathur Police Station,
No.8A, Kolathur,
Chennai 600 099.

2. Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai 600 007.

3. Assistant Commissioner of Police,
11, Kolathur Road,
Thenpalani Nagar, Kolathur,
Chennai - 600 099.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representations dated 20.10.2020 and consequently direct the respondents to issue a Non-Traceable Certificate for the petitioner's Father.

For Petitioner

: Ms. T.Sudha Gandhi

For Respondents

: Mr.M.Mohamad Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed for a direction to the respondent Police to issue a non-traceable certificate based on the FIR registered by the first respondent in Crime No.832 of 2011.

2. The petitioner had lodged a complaint that her father is missing and a man missing FIR was registered in Crime No.832 of 2011. According to the petitioner, her father has not been traced till date. Therefore, the present petition has been filed

for a direction to the respondent Police to issue a non-traceable certificate.

3. In cases involving man missing or woman missing FIR, there is no question of issuing a non-traceable certificate. This Court has already issued guidelines as to how such FIR's will have to be dealt with in the judgment K. Sukumari Vs. The Superintendent of Police, Virudhunagar District, Virudhunagar and Ors., reported in 2018 (2) LW Cr1 636. Therefore, the respondent Police will have to continue the investigation in line with the guidelines given by this Court and there is no scope for issuing a non-traceable certificate as sought for by the petitioner.

4. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/
Sub Asst. Registrar

jv
To

1. The Inspector of Police,
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No.8A, Kolathur, Chennai 600 099.
2. Commissioner of Police,
No.132, Commissioner Office Building,
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Chennai 600 007.
3. Assistant Commissioner of Police,
11, Kolathur Road,
Thenpalani Nagar, Kolathur,
Chennai - 600 099.
4. The Public Prosecutor,
High Court, Madras.

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