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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19540 of 2021

Mani

S/o.Chinnakannu

... Petitioner

Vs.

The Inspector of Police,
B-1 Police Station,
Dharmapuri.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Respondent to issue Non-Traceable Certificate to the petitioner based on his complaint dated 22.01.2021 and subsequent complaint dated 30.09.2021 within a stipulated time frame.

For Petitioner : M/s.J.Pradeep

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

This petition has been filed seeking for a direction, to direct the respondent to issue a Non-Traceable Certificate to the petitioner based on his complaint dated 22.01.2021 and 30.09.2021.

2.Learned counsel for the petitioner would submit that on 07.06.2019, when the petitioner had gone to the Sub-Registrar's Office, Dharmapuri and returned home in his bike, the original release deed bearing No.2481 of 1972 had been lost in transit.



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He would further submit that the petitioner had made several attempts to search the same in and around the Sub-Registrar's office and also in various places, but the original release deed could not be traceable and therefore he has given several complaints to the respondent police and he had also lodged online complaint vide Ref.No.CRM.21010017 dated 22.01.2021. He would also submit that he had given paper publication in Dinakural, Tamil daily regarding the same, since, no action taken on his online complaint by the respondent, the petitioner has sent several representations to the respondent police, but till date no action has been initiated to issue him a Non-traceable certificate. Hence, the petitioner had no other remedy, except to approach this Court for an appropriate direction.

3.Learned Government Advocate (Cr1. Side) would submit that the petitioner has not approached the respondent directly and had only sent a complaint through online and sending representations, he has not even filed a copy of the online complaint. He would further submit that the copy of the online complaint along with the available documents to support his contention to verify the genuineness of the complaint by the respondent police, same to be presented to find out where exactly the original document had been misplaced. To verify whether the original documents are pledged or deposited elsewhere seeking financial assistance further to see any rival claims by co-sharers to be found, for this reason, the presence of the petitioner is very much necessary, hence, the petitioner may be directed to present before the respondent police along with the copy of the online complaint lodged along with other additional documents to support his contentions to proceed further.

4.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Cr1. Side) appearing for the respondent police.

5.In view of the above submissions made by the learned Government Advocate, the petitioner is hereby directed to be present before the respondent police with the copy of the online complaint and other relevant documents to verify the authenticity of the information given by the petitioner. The respondent police, in turn, shall verify all the documents



produced by the petitioner and proceed further in accordance with law.

6. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS-CCC)

// True Copy //

Sub Assistant Registrar

kas / jeni

To

1. The Inspector of Police,
B 1 Police Station,
Dharmapuri.

2. The Public Prosecutor
High Court of Madras
Chennai 600 104

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AJS(CO)
B.VC (08/11/2021)