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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.21576 OF 2021

State Bank of India,
Represented by its Assistant General Manager,
V.Guruswamy, S/o. Venkatapa,
RACPC OMR Branch,
New No.4/952 & 4/952-A,
3rd Floor, Rajiv Gandhi Salai,
Perungudi,
Chennai.

...Petitioner

Versus

- 1.The Inspector of Police,
J-13, Taramani Police Station,
Taramani,
Chennai - 600 113.
- 2.The Inspector of Police,
City Crime Branch (Document Missing Wing),
Office of the Commissioner of Police,
Vepery,
Chennai.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the first respondent to register the complaint of the petitioner dated 28.08.2021 and consequently issue "Document Missing Certificate" to the petitioner at the earliest point of time as may be fixed by this Court.

For Petitioner : Mr.J.Pothiraj

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the first respondent to register the complaint of the petitioner dated 28.08.2021 and consequently issue "Document Missing Certificate" to the petitioner at the earliest point of time as may be fixed by this Court.



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2.The petitioner is the Assistant General Manager of the State Bank of India, RACPC OMR Branch, Chennai. The grievance of the petitioner is that one Saravana Kumar, had deposited the Lease Deed dated 01.11.2010 registered as Document No.4357/2010 on the file of the Sub Registrar, Seyyur, with the State Bank of India, RACPC Branch, Anna Salai, Chennai,- 2.

3.Later, the RACPC Branch, Anna Salai, Chennai, was transformed and formed at OMR Salai, Perungudi. While shifting the document mentioned above, during transit, was lost and unable to be traced. Thereafter, paper publication both in English and vernacular language, public notice issued. Thereafter a complaint annexing copy of the document, paper publication submitted to the first respondent police. Thereafter, no action has been taken.

4.The learned Additional Public Prosecutor submits that the respondent police would soon file an FIR, after verification of the contents of the complaint and documents and on perusal of the materials filed, it is seen that the copy of the complaint, paper publication and copy of the missing document have also been produced. The complainant is none other than the Public Sector Bank, now the original document is untraceable.

5.In view of the same, the petitioner to obtain certificate of missing document is necessary to obtain certified copy of the lost documents from the registering authorities and use the same, as primary document. Hence registration of the FIR is necessary. Therefore, the first respondent police is directed to register a FIR, furnish a copy to the petitioner of course on verification of the materials produced and getting satisfied.

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

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

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To

1.The Inspector of Police,
J-13, Taramani Police Station,
Taramani,
Chennai - 600 113.



2.The Inspector of Police,
City Crime Branch (Document Missing Wing),
Office of the Commissioner of Police,
Vepery, Chennai.

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3.The Assistant General Manager,
State Bank of India,
RACPC OMR Branch,
New No.4/952 & 4/952-A,
3rd Floor, Rajiv Gandhi Salai,
Perungudi, Chennai.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Pothiraj, Advocate, S.R.No.60549

[28/04/2022]

CRL.O.P.No.21576 of 2021

SR(CO)
RVM(13/12/2021)