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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.22177 of 2021

Dr.S.Chandran

... Petitioner

Versus

1.The Superintendent of Police,
Erode District,
Erode.

2.The Inspector of Police,
Erode Town Police Station,
Erode District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to issue Non-Traceable Certificate with regard to the Document No.834/1966 dated 07.04.1996 registered in the office of the Sub Registrar, Erode, Erode District and Document No.2298/1982 dated 20.12.1982 registered in the office of the Sub Registrar, Bhavani, Erode District in pursuant to the paper publication dated 09.11.2021 in the news paper Malai Malar, Erode Edition.

For Petitioner : Mr.C.S.Saravanan

For Respondents: Mr.R.Vinothraja
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed to direct the second respondent police to issue Non-Traceable Certificate with regard to the Document No.834/1966 dated 07.04.1996 registered in the office of the Sub Registrar, Erode, Erode District and Document No.2298/1982 dated 20.12.1982 registered in the office of the Sub Registrar, Bhavani, Erode District in pursuant to the paper publication dated 09.11.2021 in the news paper Malai Malar, Erode Edition.

2.The contention of the petitioner is that the petitioner is a Senior citizen had lodged a complaint on 01.11.2021, stating that the original document i.e. Document No.834/1966



of his mother and Document No.2298/1982 of his father are found missing, which was placed in his two wheeler. Hence he sent a complaint along with the copy of documents to the respondent police by post. The same received by the Sub-Inspector of Police on 02.11.2021. Further the petitioner caused paper publication in Maalai Malar, Erode Edition on 09.11.2021, thereafter, to respondent police not taken any steps and not provided the Non-Traceable Certificate.

3.The learned Government Advocate submits that respondents not received complaint, by post, though the postal acknowledgment cards dated 02.11.2021 produced, the copy of the complaint not immediately, traceable. In the case of this nature, it is preferable that the complainant is present before the respondent police along with the complaint, so that the veracity of the complaint can be verified and thereafter appropriate action can be taken. The part experience shows that the original documents are pledged with financial institutions or available with the siblings, where there is dispute in sharing the property, a such complaints are made. By obtaining the Non-Traceable Certificate without proper verification, certified copy of document can be projected. Later original surface and litigation starts. In order to avoid such situation, it would be appropriate, petitioner to appear before the respondent police along with the copy of the complaint, paper publication, etc., Thereafter, the respondent police on verification would take proper action in the manner known to law.

4.The learned counsel appearing for the petitioner on instruction submits that the petitioner is ready and willing to appear before the respondent police on 06.12.2021, and furnish the copy of the complaint along with supporting documents.

5.In view of the same, the petitioner is directed to appear before the respondent police on 06.12.2021, along with the copy of the supporting documents. Thereafter, the respondent police is directed to take appropriate action in the manner known to law.

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

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar



To

1.The Superintendent of Police,
Erode District,
Erode.

2.The Inspector of Police,
Erode Town Police Station,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.S.Saravanan, Advocate SR.No.61636

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GSM(CO)
GMY(03/12/2021)