



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.22629 of 2021

Rasathi

... Petitioner

Versus

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

2.The Inspector of Police,
Vellakovil Police Station,
Tiruppur District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to issue Non Traceable Certificate with regard to Ex-Military Service Man Identity Card, Military Discharge Book, CST Canteen Smart Card in pursuant to the complaint given to the second respondent police on 28.07.2021.

For Petitioner : Mr.M.Vignesh

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

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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 Ex-Military Service Man Identity Card, Military Discharge Book, CST Canteen Smart Card in pursuant to the complaint given to the second respondent police on 28.07.2021.

2.The petitioner's husband Murugesh was an Ex-Military Serviceman, who passed away on 02.08.2020. They have a son viz., Murthy. The petitioner on 24.07.2020 had gone to Erode Military canteen for purchasing certain articles, In the Vellakovil Bus



Stand she had gone to a Xerox Shop for taking xerox copy of the Ex-Military Service Man identity Card, Military Discharge Book, CST Canteen Smart Card and other documents. After coming back from the Xerox shop, the above said documents found missing. For which she had lodged a complaint to the respondent police, which was received by the second respondent police through post. Till date no action has been taken on the said complaint. Hence, she seeks direction of this Court to direct the second respondent to issue Non Traceable Certificate.

3.The learned Additional Public Prosecutor submits that no such complaint has been received, since it has been sent through post. Further for verification of the petitioner's claim and also other legal heirs, the respondent has to verify with the other legal heirs, if there are counter claim. In the case of this nature, it is preferable that the petitioner has to appear before the respondent police along with the legal heirs, so that the veracity of the complaint can be verified, if found true, appropriate action would be taken. In view of the same, the presence of the petitioner along with the legal heirs are necessary.

4.The learned counsel appearing for the petitioner on instruction submits that the petitioner is ready to appear before the respondent police along with her son viz., Murthy on 21.12.2021 and produce all the relevant documents in support of her contention.

5.Considering the submissions and on perusal of the materials, this Court finds that the presence of the petitioner and the legal heirs are necessary. In view of the same, the petitioner is directed to appear before the respondent police along with the legal heirs on 21.12.2021 and produce all the relevant documents.

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

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

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

2.The Inspector of Police,
Vellakovil Police Station,
Tiruppur District.

3.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.22629 of 2021

RSV(CO)
CB(27/12/2021)