



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P. (MD) No.13276 of 2021

WEB COPY

M.Gnanasekaran

... Petitioner

Vs.

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

2.The Inspector of Police,
Villur Police Station,
Madurai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent to issue Non Traceable Certificate in respect of Sale Deed in Document No.5511/2012 on the file of Sub Registrar Offic, Kallikudi based on his complaint dated 24.12.2018 and CSR Receipt No.105 of 2018 dated 24.12.2018 issued by the 2nd respondent police.

For Petitioner	: Mr.A.Karthik
For Respondents	: Mr.R.M.Anbunithi
	Additional Public Prosecutor
	(CrI.side)

ORDER

This petition is filed seeking direction to the 2nd respondent to issue 'Non Traceable Certificate' in respect of sale deed in Doc.No.5511 of 2012 on the file of the Sub Registrar Office, Kallikudi, based upon the complaint dated 24.12.2018.

2.Now the grievance of the petitioner is that even though the complaint has been given as early as 2018, it is kept pending without any conclusion of any enquiry and the 'Non Traceable Certificate' has not been issued so far.

3.The learned Additional Public Prosecutor (CrI.side) appearing for the respondents would submit that enquiry was undertaken on the basis of the complaint given by this petitioner in CSR.No.105 of 2018 and during the course of enquiry, the petitioner undertook to produce a certified copy of the missing document, but thereafter, he did not appear. So, it was closed on



08.01.2020.

4.It appears that closure report has not been sent to the petitioner, but whatever it may be, the learned Additional Public Prosecutor (Crl.side) would submit that the petitioner has to approach C Section attached to the Office of the Superintendent of Police, Madurai, as per the circular issued by the Director General of Police, Tamilnadu, to deal with such matters. The circular must also be complied with by the Enquiry Officer. Copy of the missing documents is also enclosed in the typed set of papers. It is a mistake on the part of the petitioner in not producing the certified copy of the missing document. On that ground, the complaint has been closed.

5.Considering the facts and circumstances of the case, direction is issued to the petitioner to give proper fresh complaint to the 2nd respondent herein within a period of 15 days from the date of receipt of a copy of this order by enclosing a certified copy of the missing document. He can approach the C Section attached to the Office of the 1st respondent herein on this ground. If such complaint is given, enquiry shall be undertaken in the light of the aforesaid circular issued by the Director General of Police, Tamilnadu in this regard and may conclude the same within a period of three months thereafter.

6.With the aforesaid directions, this petition is disposed of.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
Villur Police Station,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.KARTHIK, Advocate (SR-28657[F] dated 09/09/2021)

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KS(CO)
SB(22.09.2021) 3P 5C