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CrI.O.P.No.28021 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CrI.O.P.No.28021 of 2022

D. Lujin Daniel ... Petitioner
/vs/

1. The Deputy Commissioner of Police,
Anna Nagar District,
Chennai 600 040.
2. The Inspector of Police,
V-7, Nolambur Police Station,
Nolambur, Chennai ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the 2nd respondent to provide “Not Traceable Certificate” based on the petitioner's complaint dated 01.02.2022 vide Crime No.144 of 2022, dated 16.02.2022.

For Petitioners ... Mr. R. Thanigai Arasu
For Respondents ... Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to direct the 2nd respondent to provide “Not Traceable Certificate” based on the petitioner's complaint dated 01.02.2022 vide Crime No.144 of 2022, dated 16.02.2022.

2. The learned counsel for the petitioner submitted that the petitioner lodged a complaint with the 2nd respondent stating that his Enfield bullet motor cycle bearing Registration No.TN-13-W-0768 parked in the parking area was missing, pursuant to which, a case in Crime No.144 of 2022 was registered on 16.2.2022. He would further submit that even though the FIR was registered as early as on 16.2.2022, the 2nd respondent is yet to file its final report. Therefore, the petitioner on 26.3.2022 sent a representation to the 1st respondent seeking a direction to 2nd respondent to take appropriate action to trace out the vehicle or to issue a non traceable certificate, enabling him to claim insurance amount.



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3. The learned Govt. Advocate (crl.side) submitted that on receipt of complaint, a case has been registered in Crime No.144 of 2022 for the offence punishable under section 379 IPC and the same is still pending for enquiry.

4. Heard both sides and perused the materials available on record.

5. Considering the submissions of both sides, the 2nd respondent is hereby directed to take suitable action to trace out the vehicle, if they are not able to trace out the vehicle, issue non traceable certificate to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

4. With the above direction, this Criminal Original Petition is closed.

16.11.2022

Index: Yes/No
Internet: Yes/No
msr



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V.SIVAGNANAM ,J.

msr

To

- 1.1. The Deputy Commissioner of Police,
Anna Nagar District,
Chennai 600 040.
2. The Inspector of Police,
V-7, Nolambur Police Station,
Nolambur, Chennai
3. The Public Prosecutor,
High Court, Madras.

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