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Crl.O.P.No.7607 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.7607 of 2023

Palaniyammal

... Petitioner

Vs.

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

2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 2nd respondent to issue Non Traceable Certificate of petitioner's original gift deed bearing Document number 1596 of 1967 on the file of SRO, Omalur, in pursuance of petitioner's complaint dated 23.03.2023.

For Petitioner : Mr.C.Deepak Kumar

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



Crl.O.P.No.7607 of 2023

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ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to issue Non Traceable Certificate of petitioner's original gift deed bearing Document number 1596 of 1967 on the file of SRO, Omalur, in pursuance of petitioner's complaint dated 23.03.2023.

2.The learned counsel appearing for the petitioner submitted that petitioner had lost the original gift deed bearing document No.1596 of 1967 registered on the file of SRO, Omalur. Therefore, she gave a complaint to the respondent Police dated 23.03.2023 for issuing Non Traceable Certificate. Till now no order is passed, necessitating filing of this petition.

3.In response, the learned Government Advocate (Criminal side) submitted that on the basis of the complaint given by the petitioner, enquiry was conducted. During the course of enquiry, it came to light that petitioner had not taken any steps to intimate about missing of the document at Deevattipatti Police Station. She had given contradictory statement with regard to the place where she allegedly lost the document. Therefore, the complaint allegations were found to be false and further action was dropped.



Crl.O.P.No.7607 of 2023

WEB COPY

4.It is seen from the report filed by the respondent that petitioner had given two different places where she allegedly lost the document. When the complaint sent to Superintendent of Police, Salem, she alleged that she lost the document while she was going to Deevattipatti Police Station, jurisdiction to Nayanakadu. In the other complaint sent through registered post, it is alleged that she lost the document while riding the bus near Deevattipatti bus stand. She has also not intimated the missing of the document with the Police at Deevattipatti Bus stand.

5.In the said circumstances, that the petitioner made contradictory statements as to the place where she had lost the document and she did not immediately inform about missing the document, with the Police, this Court is of the view that the prayer for issuance of non-traceable certificate cannot be entertained.

6.Accordingly, this Criminal Original Petition is dismissed.

10.04.2023



Crl.O.P.No.7607 of 2023

Internet: Yes

Index: Yes/No

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To:

- 1.The District Superintendent of Police,
Salem District,
Salem.
- 2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
- 3.The Public Prosecutor
High Court of Madras.



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Crl.O.P.No.7607 of 2023

G.CHANDRASEKHARAN, J.
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