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Crl.O.P.No.15139 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15139 of 2023

S.Gunasekaran
S/o.Sambandan

... Petitioner

Vs.

1.The Deputy Commissioner of Police,
Anna Nagar Range,
Anna Nagar, Chennai.

2.The Inspector of Police,
K1 Sembiyam Police Station,
Sembiyam, Chennai.
Crime No.193 of 1998

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to issue a direction to the second respondent to issue non-traceable certificate of the petitioner's brother, namely, S.Mohan pertaining to Crime No.193 of 1998 on the file of second respondent.

For Petitioner	: Mr.B.Kumarasamy
For Respondents	: Mr.A.Damodaran Additional Public Prosecutor



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ORDER

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This petition has been filed for a direction to the second respondent to issue 'Non-traceable Certificate' in the investigation pending in Crime No.193 of 1998 on the file of second respondent.

2. Heard Mr.B.Kumarasamy, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents.

3. The father of the petitioner has given a complaint to the effect that one of his son, viz., S.Mohan went missing from 11.01.1998 and based on the complaint, a man missing FIR was registered in Crime No.193 of 1998. The grievance of the petitioner is that till date, his brother has not been traced and no final report has been filed. Aggrieved by the same, the present Criminal Original Petition has been filed before this Court seeking for the aforesaid relief.

4. In the considered view of this Court, the issue is squarely covered by the earlier order passed by this Court in ***K.Sukumari v. The Superintendent of Police, Virudhunagar District, Virudhunagar and others*** [2018 (2) LW Crl.

<https://www.mhc.tn.gov.in/judis>

636]. The respondent police is directed to proceed further in this case in line



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with the guidelines given by this Court in the above order. Ultimately, if nothing turns out, a closure report can be filed before the Court below. In any event, such a report shall be filed within a period of two (2) months from the date of receipt of a copy of this order.

Accordingly, this Criminal Original Petition is disposed of.

10.07.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation:Yes/No

gm

To

1.The Deputy Commissioner of Police,
Anna Nagar Range,
Anna Nagar, Chennai.

2.The Inspector of Police,
K1 Sembiam Police Station,
Sembiam, Chennai.
Crime No.193 of 1998

3.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J.

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