



Order dated 27.08.2024
in CrI.O.P.No.11017 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.08.2024

Coram:

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.11017 of 2024

--

R.Murugesan

.. Petitioner

Vs.

The Inspector of Police,
S.5 Police Station,
Pallavaram,
No.26, GST Road, Chennai-600 043.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to investigate and file a final report with respect to Crime No.74 of 2022, dated 06.02.2022 on the file of the respondent.

For petitioner : Mr.S.Ashwin Prashanth

For respondent: Mr.S.Udaya Kumar, Govt. Advocate (CrI. Side)

ORDER

This Criminal Original Petition is filed under Section 482 Cr.P.C. to direct the respondent to investigate and file a final report with respect to Crime No.74 of 2022, dated 06.02.2022, on the file of the respondent.

Page No.1/6



Order dated 27.08.2024
in CrI.O.P.No.11017 of 2024

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2. The petitioner herein is the husband of the missing woman Mrs.Murugeswari. Unfortunately, she is not in good mental state. Earlier, she had gone missing, but was traced back. This time, since 28.01.2022, she is missing and her whereabouts are not known. The complaint registered in Crime No.74 of 2022, dated 06.02.2022, has not yielded any result. Hence, the present Criminal Original Petition has been filed alleging that no steps had been taken by the respondent and to direct the Investigating Officer to expedite the investigation. .

3. The procedures for tracing the missing person, have been laid down by this Court in CrI.O.P.(MD).No.19255 of 2016, by order dated 18.09.2018 (K.Sukumari Vs. The Superintendent of Police, Virudhunagar District, Virudhunagar and two others). The investigating officer has not scrupulously followed the above order of this Court. Therefore, the learned counsel for the petitioner submitted that a direction may be issued to expedite the investigation.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that, as directed by this Court on 28.06.2024, the Inspector of Police (L & O), T-3 Pallavaram Police Station, Chennai, has



Order dated 27.08.2024
in CrI.O.P.No.11017 of 2024

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filed two status reports, from which, it is clear that after registration of the complaint and after recording the statement of witnesses, hand-bills were circulated in all important places like bus-stand, railway station, etc., with the photographs of the missing lady and contact name and address. Further, a Police Constable was deputed to visit the neighbouring places/near-by Police Stations to verify as to whether any complaint has been registered under Section 174 Cr.P.C. Learned Government Advocate further submitted that mental health home was also visited to collect the information as to whether the missing lady has been traced and to ascertain as to whether she has been dropped in any of the mental health homes. Learned Government Advocate also stated that special team is constituted to trace the missing lady, but all the above efforts went in vain.

5. Further, learned Government Advocate also stated that the guidelines issued by the Madurai Bench of this Court in K.Sukumari case (supra), will be scrupulously followed and efforts would be taken to trace the missing lady.

6. As the missing woman had mental issues, investigating officer is unable to locate her whereabouts. However, the Special Team is directed to



Order dated 27.08.2024
in CrI.O.P.No.11017 of 2024

continue to trace the missing lady and soon the lady will be traced.

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7. The status reports show genuine efforts taken by the investigating officer to trace the missing lady and the status report also assures that the Police will continue the efforts to trace the missing lady.

8. In the said facts and circumstances, this Court is of the view that the request of the petitioner to expedite the investigation be substantially complied with, though, as of now, it has not yielded the expected results.

9. This petition is disposed of, with a direction to the investigating officer concerned to pursue and continue the efforts of tracing missing lady (Mrs.Murugeswari) and if any information of her tracing out is received, the same shall be shared to the petitioner forthwith.

27.08.2024

Index: Yes/no

Speaking Order: Yes/no

Neutral Case Citation: Yes/no

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Page No.4/6



Order dated 27.08.2024
in CrI.O.P.No.11017 of 2024

To
WEB COPY

1. The Inspector of Police,
S.5 Police Station,
Pallavaram,
No.26, GST Road, Chennai-600 043.
2. The Public Prosecutor, High Court, Chennai-600 104.



WEB COPY



Order dated 27.08.2024
in Crl.O.P.No.11017 of 2024

Dr. G.Jayachandran, J

CS

Crl.O.P.No.11017 of 2024

27.08.2024

Page No.6/6