



Crl.O.P.(MD).No.2687 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.2687 of 2024

S.Mohammad Kasim

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
South Gate Police Station (Crime),
Madurai District.
(Crime No.181 of 2022)

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second Respondent to file a final report in Crime No.181 of 2022 on the file of the second Respondent within a stipulated time fixed by this Court.

For Petitioner : Mr.M.M.Iqbal

For Respondents : Mr.B.Thanga Aravindh
Government Advocate
(Criminal Side)



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking direction against the Respondent Police to file a final report in Crime No.181 of 2022 on the file of the second Respondent.

2. It is the submission of the learned Counsel for the the Petitioner had lost his two-wheeler Hero Honda CD Delax bearing Registration Number TN 48 P 5694. In this regard, he lodged a complaint before the Respondent Police. Based on the complaint, the case was registered in Crime No.181 of 2022 dated 15.06.2022 for the offences punishable under Section 379 of IPC on the file of the second Respondent. Though the complaint was lodged on 15.06.2022, till date the investigation had not been proceeded in laying the final report within a reasonable time. Therefore, the Petitioner was forced to file this petition seeking direction against the Respondent Police to file a final report.

3. The learned Government Advocate (Criminal Side) on instructions of the Respondent Police would submit that they had filed negative report before the Court of learned Judicial Magistrate No.IV, Madurai, stating undetected.



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4. The learned Counsel for the Petitioner submits that the Investigation Officer has to issue non traceable certificate to the Petitioner, in order to enable him to file a claim petition before the Motor Accident Claims Tribunal.

5. In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), the Respondent Police is directed to issue Non-Traceable Certificate to the Petitioner within a reasonable period of 10 days from the date of receipt of a copy of this order.

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

21.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To

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- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
South Gate Police Station (Crime),
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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