



Crl.R.C.No.1326 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1326 of 2023

Chalasani Venkateswara Rao

... Petitioner

Vs.

1. The Commissioner of Police,
Tambaram Police Commissioner Office,
No.42/1, Medavakkam Main Road,
Sholinganallur,
Chennai – 600 119.

2. The Assistant Commissioner of Police,
2nd Floor, Selaiyur Police Station,
Selaiyur, Chennai – 600073.

3. The Inspector of Police,
Selaiyur Police Station,-S-15,
Selaiyur-Chennai – 600 073.

... Respondents

PRAYER: Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C., to allow this revision and set aside the order of Disposal in Crl.M.P.No.96 of 2023 date of order-12.01.2023 on the file of Judicial Magistrate Court, at Tambaram Chennai. Crl.M.P.No.96 of 2023 date of



Crl.R.C.No.1326 of 2023

WEB COPY

order 12.01.2023 and further to direct the 3rd respondent police to take the complaint on file and further enquire the complaint dated 20.04.2022 filed by the petitioner to the third respondent and to direct the third respondent Inspector of Police, S-15, Selaiyur Police Station, Selaiyur Chennai to register a complaint and to act in furtherance of the circular issued as a guidance to the handling of lost document in accordance with law.

For Petitioner : Mr.A.Senthil Manohar

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Revision Petition has been filed to set aside the order dated 12.01.2023 passed in Crl.M.P.No.96 of 2023 by the learned Judicial Magistrate, Tambaram, Chennai and further to direct the third respondent police to take the petitioner's complaint dated 20.04.2022 on file.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

3. The petitioner filed a complaint on 20.04.2022 before the



Crl.R.C.No.1326 of 2023

WEB COPY

respondent-police to trace out his missing records. Since the respondent-Police did not take any action on his complaint, the petitioner has filed the petition in Crl.M.P.No.96 of 2023, under Section 156(3) Cr.P.C before the learned Judicial Magistrate, Tambaram, Chennai. The learned Magistrate, after enquiry, dismissed the petition *vide* impugned order dated 12.01.2023, for the reason that the petitioner has not complied with the condition under Sections 154(1) and 154 (3) of Cr.P.C. Aggrieved by the same, the petitioner has filed this criminal revision petition.

4. Admittedly, the petitioner lodged a complaint before the respondent-Police to trace out his missing records. Since the respondent has not taken any action, he filed a petition in Crl.M.P.No.96 of 2023, under Section 156(3) Cr.P.C before the learned Judicial Magistrate, Tambaram, Chennai. The learned Magistrate dismissed the same.

5. If any material/document is missed by somebody or stolen,



Crl.R.C.No.1326 of 2023

WEB COPY

the respondent-Police has to register a case and conduct investigation. If the respondent-police is unable to trace out the missing records/documents, they have to issue a certificate of non-traceable record to that effect. In this case, the respondent-Police is started analyzing the genuineness of the document. The object and scope of this investigation is not to found the genuineness of the document, whereas, the document mentioned in the complaint is able to traceable or not.

6. In this case, the respondent Police as well as the trial court traversed beyond the scope and object of the complaint. Hence, impuged order dated 12.01.2023 passed in Crl.M.P.No.96 of 2023 by the learned Judicial Magistrate, Tambaram, Chennai is set aside.

7. It is stated further by the learned counsel for the petitioner that subsequently, he has also filed another complaint before the respondent Police and the same was taken on file by the respondent-Police in CSR No.1370 of 2023 on 12.08.2023. The respondent-Police is directed to register a case on the said complaint and investigate the



Crl.R.C.No.1326 of 2023

WEB COPY

matter, file a final report and proceed further in accordance with law.

8. With the abovesaid direction, this Criminal Revision Petition
is allowed.

11.03.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Judicial Magistrate Court, at Tambaram Chennai.
2. The Commissioner of Police,
Tambaram Police Commissioner Office,
No.42/1, Medavakkam Main Road,
Sholinganallur,
Chennai – 600 119.
3. The Assistant Commissioner of Police,
2nd Floor, Selaiyur Police Station,
Selaiyur, Chennai – 600073.
4. The Inspector of Police,
Selaiyur Police Station,-S-15,
Selaiyur-Chennai – 600 073.
5. The Public Prosecuor,
High Court, Chennai.



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Crl.R.C.No.1326 of 2023

P.VELMURUGAN, J.

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Crl.R.C.No.1326 of 2023

11.03.2025