

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.18036 of 2015

R.Dhenmozhy

.. Petitioner

Vs.

State represented by
Inspector of Police, (Traffic Investigation)
S13, Chromepet Investigation
Tambaram, Chennai-45.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondent namely Inspector of Police (Traffic Investigation), S-13, Chromepet Investigation, Tambaram, Chennai-45, to register F.I.R., based on the petitioner's complaint dated 15.02.2015.

For Petitioner :Mr.R.Sivakumar
For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed praying to direct the respondent namely Inspector of Police (Traffic Investigation), S-13, Chromepet Investigation, Tambaram, Chennai-45, to register F.I.R., based on the petitioner's complaint dated 15.02.2015.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is the case of the petitioner that her driver had taken her Car on 15.02.2015 and while he was going near Pallavaram, a buffalo crossed the road, to avoid which, he swiveled to one side, resulting in the car dashing against the median. In that accident, the driver was injured.

4. The learned counsel for the petitioner submits that unless FIR is registered, the petitioner will not be able to get insurance.

5. In the considered opinion of this Court, an FIR can be registered under Section 154 of Cr.P.C., only when there is a commission of cognizable offence. According to the petitioner, a buffalo came in the middle of the road, which resulted in the

accident in question. In this regard, the learned counsel for the petitioner relied upon the Section 158(6) of Motor Vehicle Act, 1994.

6. In view of the above, this Court directs the police to enquire into the CSR and furnish a report in respect of the accident to the petitioner, so that she can make a claim for insurance.

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

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police, (Traffic Investigation)
S13, Chromepet Investigation
Tambaram, Chennai-45.

2. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.R.Sivakumar, Advocate SR 36611

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