

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.18555 of 2015

T.Bhavani ... Petitioner/Defacto Complainant.

Vs

1.The Superintendent of Police,
Thiruvallur District at
Thiruvallur.

2.The Inspector of Police,
E-3, Minjur Police Station,
Thiruvallur District. ... Respondents/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the 2nd respondent herein viz. The Inspector of
Police, E-3, Minjur Police Station, Thiruvallur District in the
above case in Crime No.453 of 2009 on his file and file final
report before the concerned court within the time stipulated.

For Petitioner : Mr.A.Arasuganesan

For Respondents : Mr.C.Emalias, Addl. Public Prosecutor

O R D E R

This petition has been filed to direct the 2nd respondent to
file final report in Crime No.453 of 2009.

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

3. It is seen that this petitioner's husband Raghu died in a
motor accident on 02.08.2009. In connection with which, on the
complaint of Chandran [Raghu's brother], the respondent police
registered a case in Crime No.453 of 2009 on 03.08.2009 under
Section 249, 337, 304A IPC. Since no final report is filed by the
police, the petitioner who is the widow of Raghu has approached
this Court for a direction to the police to file a final report.

4. Today, Mr.P.Pugazh, Inspector of Police, E-3, Minjur Police
Station is present.

5. Learned Additional Public Prosecutor submits that the case has been closed by the learned Judicial Magistrate-II, Ponneri as early as 20.06.2012 under Section 468[2] Cr.P.C.

6. On account of closure of the case, the petitioner is not even able to prosecute her claim before the Motor Accidents Claims Tribunal. The learned Judicial Magistrate-II, Ponneri is directed to peruse the records and if required, accept the protest application from Chandran the de facto complainant and take action in accordance with law as laid down by the Hon'ble Supreme court in Vinay Tyagi Vs Irshad Ali reported in 2013 [5] SCC 762.

With the above direction, this petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

1.The Judicial Magistrate-II,
Ponneri.

2.The Superintendent of Police,
Thiruvallur District at
Thiruvallur.

3.The Inspector of Police,
E-3, Minjur Police Station,
Thiruvallur District.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.A.Arasu Ganesan, Advocate, sr.45159

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kra 9/9

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