

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.25062 of 2015

Anish

... Petitioner

Vs.

1. State Rep By its:
Additional Commissioner of Police,
Traffic Wing,
Vepery, Chennai 600 007

2. State Rep by
Inspector of Police,
Traffic Investigation Wing,
Poonamallee

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to register the complaint dated 01.09.2015 made by the petitioner to the respondent.

For Petitioner : Mr.T.I.Ramanathan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the respondent to register the complaint dated 01.09.2015 made by the petitioner.

2. The petitioner is permanently residing in Mangadu, Chennai and he is a driver by profession. On 26.07.2014, at about 8.30.p.m, while he was travelling from Mangadu Village to

Kumanan Chavadi in his Two Wheeler bearing Registration No.TN-02-Q-3467 on the left side of the road, a Two Wheeler bearing Registration No.TN-85-1822 came from the opposite side with high speed, dashed against the petitioner and thus, caused accident. The petitioner's right foot was completely crushed and he has also sustained other injuries. The petitioner was admitted in the Stanley Government Hospital, Chennai. He also took treatment under Doctor Dulasiraman, T.Nagar, Chennai. The petitioner was not in a position to give a report immediately. In the meanwhile, the owner of the two wheeler bearing registration No.TN-85-1822 expressed his willingness to bear all the medical expenses of the petitioner. Subsequently, he has not paid even a single pie. Thereafter, the petitioner lodged a complaint before the respondent police on 01.09.2015 and the same has not registered so far. Hence, the petitioner has come forward with this present petition.

3. The learned Additional Public Prosecutor would submit that there was a delay of one year in lodging the complaint and he would further submit that the petitioner as well as the counter petitioner have agreed to settle the matter among themselves.

4. However, the learned Counsel for the petitioner submitted that though the counter petitioner has agreed to pay the medical expenses earlier, subsequently, he failed to pay the amount and hence, he lodged a complaint on 01.09.2015. In the said process, a delay of one year has caused.

5. Considering the submissions made on either side, this Court directs the respondents to conduct the enquiry on the complaint given by the petitioner dated 01.09.2015, and proceed further in accordance with law, as early as possible.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

srn/mrp

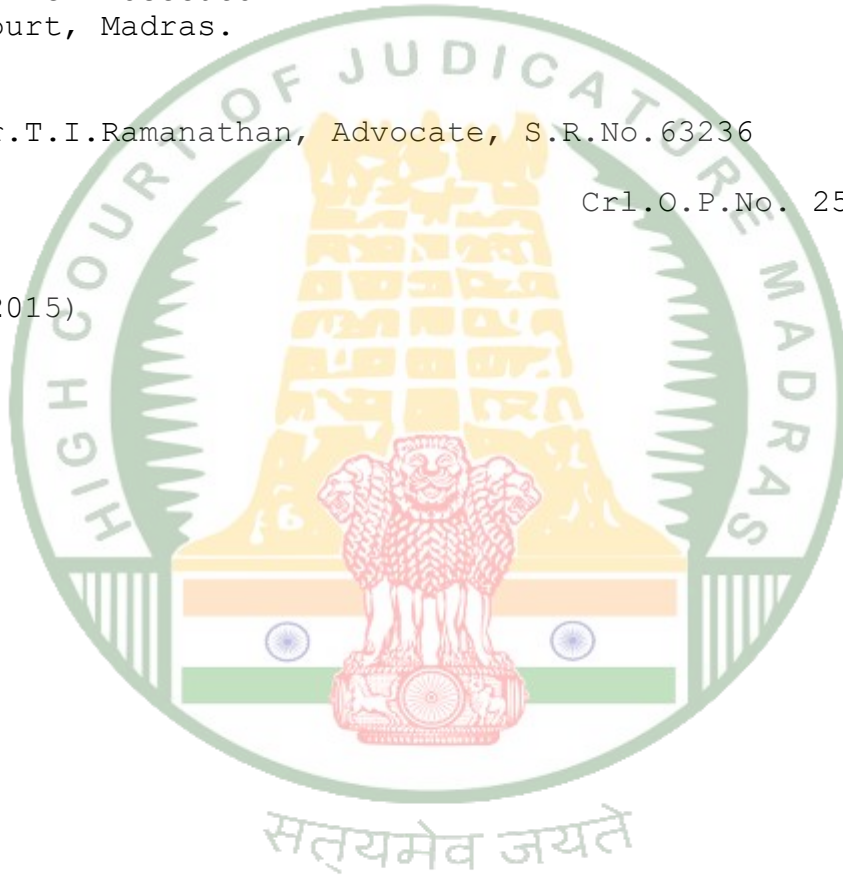
To

1. The Additional Commissioner of Police,
Traffic Wing,
Vepery, Chennai 600 007
2. The Inspector of Police,
Traffic Investigation Wing,
Poonamallee.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.T.I.Ramanathan, Advocate, S.R.No.63236

Crl.O.P.No. 25062 of 2015

RSK(CO)
CA(11/12/2015)



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