

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27043 of 2015

P.Bharathi

... Petitioner

Vs.

1. The Superintendent of Police,
Vellore District,
Vellore.
 2. The Inspector of Police,
District Crime Branch,
Vellore,
Vellore District.
 3. The Inspector of Police,
Rathinagiri Police Station,
Vellore District.
- ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 3rd respondent to transfer the investigation relating to Crime No.84 of 2015 pending on the file of the 3rd respondent to the file of 2nd respondent or any other agency and to conduct free and fair investigation and to file final report.

For Petitioner : Mr.C.Prabakaran

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

O R D E R

This Criminal Original Petition is filed seeking a direction to the 3rd respondent to transfer the investigation relating to Crime No.84 of 2015 pending on the file of the 3rd respondent to the file of the 2nd respondent or any other agency and to conduct free and fair investigation and to file final report.

2. In the affidavit filed by the petitioner, it is stated that on 03.03.2015, when the petitioner was on the way to attend a Wedding Reception of his friend, viz. Thyagarajan, in a Hero

Honda Two Wheeler, bearing Registration No.TN 23 AX 8670, near Poonjolai Nagar Sivan Koil, Nandhiyalayam, a Yamaha Two-Wheeler bearing Registration No.TN 23 BD 2968, driven by one Mr.Paranthaman, came in the same direction behind his back and dashed against him, due to which, the petitioner sustained multiple grievous injuries and crush injury on his left leg. Immediately, the said Paranthaman and the public gathered at the spot had sent the petitioner to Government Hospital at Walajah.

3. Since the injuries sustained by the petitioner were grave in nature, the petitioner was referred to C.M.C. Hospital, Vellore and thereafter, he was referred to MIOT Hospital, Chennai. During the course of treatment, his left ankle was amputated. Though the accident was intimated to the 3rd respondent police, after completion of the treatment, again the petitioner went to the 3rd respondent to register a case against the said Paranthaman, but, no case is registered against him so far. But, the petitioner was shocked and surprised to know that Paranthaman had registered a case against the petitioner on 05.03.2015 in Crime No.84 of 2015 for the offence under Sections 279 and 337 IPC that the alleged accident had taken place at the instance of the petitioner. It is also the case of the petitioner that no investigation is conducted by the 3rd respondent so far relating to the above accident.

4. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor submitted that investigation is completed and charge sheet is also made ready. But, the Judicial Magistrate Court at Arcot is not receiving the charge sheet till date.

5. Since investigation is completed, I am of the view that nothing further survives for consideration in this matter. The learned Judicial Magistrate, Arcot is directed to receive the Charge Sheet, if it is in order. However, the petitioner is at liberty to work out his remedy in the manner known to law.

This Criminal Original petition is disposed of with the above observation.

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Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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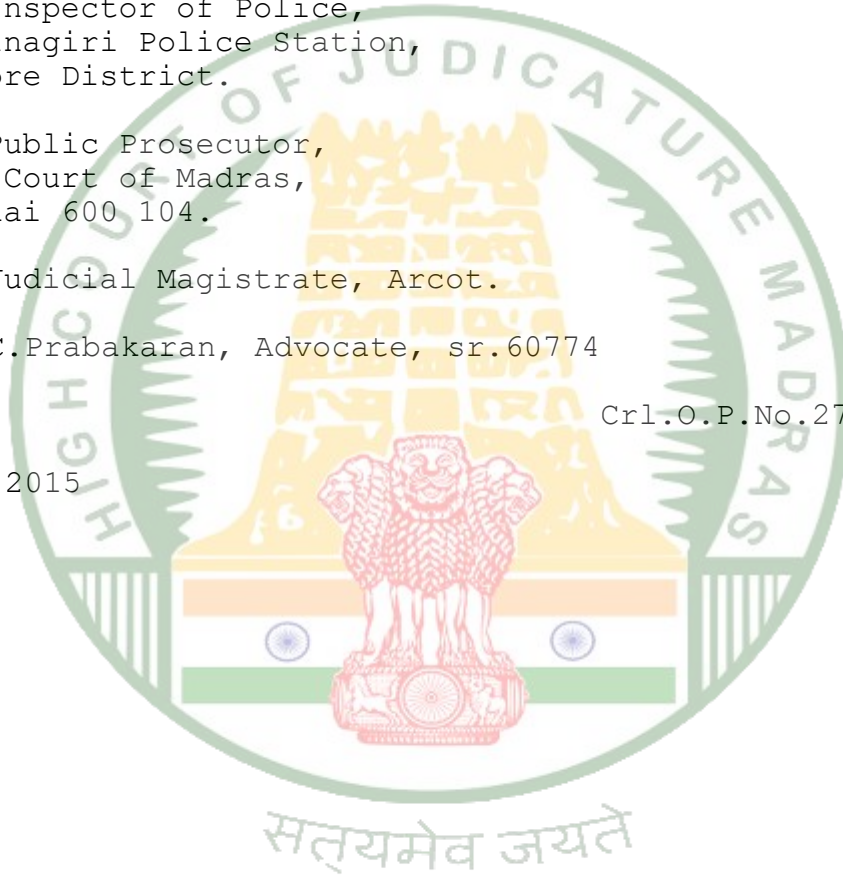
To:

1. The Superintendent of Police,
Vellore District,
Vellore.
2. The Inspector of Police,
District Crime Branch,
Vellore,
Vellore District.
3. The Inspector of Police,
Rathinagiri Police Station,
Vellore District.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.
5. The Judicial Magistrate, Arcot.

+1 cc to C.Prabakaran, Advocate, sr.60774

Crl.O.P.No.27043 of 2015

vs co
kra 14.12.2015



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