

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.1053 of 2016

Thiyagarajan

... Petitioner

Vs

1. The State Rep. By
Inspector of Police,
Vellithiruppur Police Station,
Vellithiruppur,
Erode District.

2. The Superintendent of Police,
Erode District,
Erode.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 1st respondent to investigate the complaint of the petitioner and register a case against the driver of the offending bus bearing registration No.TN 33 N 1584 after recording the statements of the eye witnesses as per the complaint of the petitioner dated 24.07.2013.

For Petitioner : Mr.C.Kulanthaivel

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

O R D E R

The present criminal original petition has been filed seeking a direction to the 1st respondent to investigate the complaint of the petitioner and registered a case against the driver of the offending bus bearing registration No.TN 33 N 1584 after recording the statements of the eye witnesses as per the complaint of the petitioner dated 24.07.2013.

2. The petitioner is working in a petrol bunk. On 23.06.2013, at about 9.30. a.m., when he was driven a motor cycle, bearing registration No.TN 25 F 3921 at Villamarathur junction, a transport corporation bus came in a rash and negligent manner and dashed against the petitioner. Due to which, the petitioner was thrown out and sustained grievous injuries. Thereafter, the petitioner was admitted in Amman

Hospital, Anthiyur by the eye witnesses viz., one Shankar and Rahul. After discharging from the hospital, the petitioner came to know about the registration of the case in FIR No.118 of 2013 and to his shock and surprise, FIR has been registered against himself based on the statement said to have obtained from the petitioner. However, the 1st respondent has mentioned in column No.6 that the complainant is G.Thiyagarajan i.e., the petitioner herein and in column No.7, it is stated that the accused is the rider of the motor cycle, who is none other than the petitioner herein himself. Hence, the petitioner again lodged a complaint on 24.07.2013. The said complaint was received on 27.07.2013. But, thereafter no action was taken on the said complaint.

3. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that FIR was registered in Crime No.118 of 2013 and the present complaint dated 24.07.2013 would be enquired along with the FIR in Crime No.118 of 2013.

In view of the submission made by the learned Additional Public Prosecutor, this Court is of the opinion there is no need to give a specific direction to the respondent to register a case. Recording the submission of the learned Additional Public Prosecutor, this criminal original petition is closed.

vsm

-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Vellithiruppur Police Station,
Vellithiruppur,
Erode District.
2. The Superintendent of Police,
Erode District,
Erode.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.C.Kulanthaivel, Advocate SR 5565
sv(co)
prk15/2

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