

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.10129 of 2010

and

MP.No.1 of 2010

N.Subash ... Petitioner

Vs

1. State represented by
Inspector of Police,
Central Crime Branch, Tiruppur.
2. Regional Transport Officer
Tiruppur. ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records in Crime No.11 of 2009 on the file of the 1st Respondent police and quash the investigation therein.

For Petitioner : Mr.V.Sairam

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

O R D E R

This Criminal Original Petition has been filed praying to call for the records in Crime No.11 of 2009 on the file of the 1st Respondent police and quash the same.

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

3. It is seen that the complaint has been lodged by the Regional Transport Officer, Tiruppur against the petitioner, who is an operator of a mini bus bearing Registration No. TN 49 K 1630. Several complaints were received against the petitioner stating that he is operating his bus in an unauthorised route. Pursuant to the complaint, the Regional Transport Officer, detained the bus on 10.08.2008 for having plied it in an unauthorized route under Section 207 of Motor Vehicles Act, 1988. On verification of the office records and on comparison with the permit held by the petitioner, the Regional Transport Officer found that the petitioner has

tampered with the permit by changing the bus stations and timings, which do not find place in the original register of the transport authorities.

4. In the light of serious allegations against the petitioner, this Court is of the view that this is not a fit case to quash the proceedings, as per the law laid down in State of Haryana Vs Bhajan Lal [(1992) Supp (1) SCC 335].

5. In the result, the petition is dismissed. However, the respondent police is directed to complete the investigation in Crime No.11 of 2009 expeditiously and take action in accordance with law. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mk

To

1. The Inspector of Police,
Central Crime Branch, Tiruppur.
2. The Regional Transport Officer, Tiruppur.
3. The Public Prosecutor, High Court, Madras.

1 cc to Mr.V.V. Sairam, Advocate, Sr. 53550

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