

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1508 of 2016

D.Boopathy

... Petitioner

Vs

- State by
1. The Asst. Commissioner of Police,
Traffic Wing,
Adyar, Chennai - 600 020.
 2. The Inspector of Police,
Traffic investigation,
J-2 Adyar, Mylapore Range,
Chennai - 600 090.
- ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent herein to register the case based on the complaint dated 01.05.2015 given by the petitioner and to investigate the case in accordance with law.

For Petitioner : Mr.R.Ramesh
For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the second respondent herein to register the case based on the complaint dated 01.05.2015 given by the petitioner and to investigate the case in accordance with law.

2. In the petition, it has been stated that on 19.4.2015 at about 4.20 p.m., the petitioner was going to his house in a Yamaha two wheeler bearing Registration No.TN-03-K-9006 from Kovalam to his residence in Thiruvotriyur, having his cousin brother namely Karthick as pillion rider. At that time, due to rash and negligent driving of a Maruthi Car bearing Registration No.TN-20-AQ-6534 from MGM Park, Chennai, there was an accident. In the said accident, the petitioner had sustained grievous injuries. Thereafter, the petitioner and the said Karthick were admitted in A.V.Hospital, Washermanpet, Chennai and the petitioner had undergone a surgery on his face. After discharge from the hospital, the petitioner lodged a complaint before the

second respondent on 01.05.2015 and C.S.R.No.411 of 2015 has been assigned on the said complaint. At this juncture, the petitioner came to know that the respondent has already registered a case against the petitioner in Crime No.261 of 2015 for the offences under sections 279 and 337 IPC on the complaint lodged by one Karthik. Hence, the petitioner has come forward with the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

4. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that a case has already been registered in Crime No.261 of 2015 for the very same occurrence, in which the petitioner has been shown as an accused. Therefore, the complaint of the petitioner would be investigated along with the case in Crime No.261 of 2015.

5. In view of the submissions of the learned Additional Public Prosecutor, there is no need to give specific direction to the respondent.

6. Accordingly, this Criminal Original Petition is closed.

vrc

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Asst. Commissioner of Police,
Traffic Wing,
Adyar, Chennai - 600 020.

2. The Inspector of Police,
Traffic investigation,
J-2 Adyar, Mylapore Range,
Chennai - 600 090.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Ramesh, Advocate SR 4806

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