

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14. 11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.21698 of 2016

Chinnasamy

...Petitioner

Vs.

1. The State Rep. by
The Deputy Inspector General of Police,
Ramakrishna Road, Salem.
2. The Superintendent of Police,
Dharmapuri District, Dharmapuri.
3. The Inspector of Police
Athiyaman Kottai Police Station
Athiyaman Kottai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the 3rd respondent to investigate and file the final report in Crime No.128 of 2016 on the file of the 3rd respondent dated 23.03.2016 against the driver of the white car bearing registration number TN-29-AL-09 after recording the statements of the eye witnesses as per the complaint of the petitioner dated 12.04.2016.

For Petitioner : Mr.G.Kesavan

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

O R D E R

This criminal original petition has been filed to direct the 3rd respondent to investigate and file final report in Crime No.128 of 2016 on the file of the 3rd respondent dated 23.03.2016 against the driver of the white car bearing registration number TN-29-AL-09 after recording the statements of the eye witnesses as per the petitioner's complaint dated

12.04.2016.

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

3. On 17.10.2016, this Court passed the following order:

"Today, when the matter is called, Mr.S.Lakshmanakumar, Police is present. The police is directed to file a status report with regard to the investigation conducted in respect of the vehicle bearing registration number TN-29-AL-09 mentioned in the complaint given by the petitioner. Post on 01.11.2016."

4. Today, Mr.S.Lakshmanakumar, Inspector of Police, Adhiyamankottai PS, Dharmapuri District is present and has filed the status report wherein, in para nos. 6 & 10, it is stated as follows :

"I submit that during the course of the investigation, with regard to the above accident, the then Inspector of Police obtained a detailed report from the Regional Transport Officer, Dharmapuri which reveals that there was no such (regn) number was registered by them in bearing Regn.No.TN29AL09 as mentioned by the petitioner in the FIR. Since, the petitioner mentioned only the incomplete vehicle Reg.No. in the FIR itself, hence, collected the mandatory numbers ends with four digit number (assumed number) i.e. TN29AL0009 available in the RTO office, Dharmapuri which reveals that the vehicle is S.Mica Met Colour INNOVA car belongs to one Jayalakshmi. Based on the above, the then Inspector of Police examined the said Jayalakshmi and her neighbours, then came to know that on the date of occurrence, the said INNOVA car not involved in the said accident. Eventhough, in order to confirm the same, the then Inspector of Police collected the call details of the said Jayalakshmi and her driver from the telephone authorities, the tower location shows that both of the cell phones are used at Dharmapuri, Bharathipuram i.e. 8km from the SOC i.e. Govt. Boys Higher Secondary School, Adiyamankottai.

I submit that in order to complete the investigation, the 3rd respondent has to do the following:

-to examine the staffs of the workshops in and around Dharmapuri.

- to examine Motor vehicle dealers in Dharmapuri District to verify any such vehicle came for sale."

Accepting the explanation given by the Investigating Officer, this petition is closed with a direction to the 3rd respondent police to expeditiously complete the investigation and take action in accordance with law.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Deputy Inspector General of Police,
Ramakrishna Road, Salem.
2. The Superintendent of Police,
Dharmapuri District, Dharmapuri.
3. The Inspector of Police
Athiyaman Kottai Police Station
Athiyaman Kottai.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.G.Kesavan Advocate sr 65576/16

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