

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.23506 of 2016

M.Bose

... Petitioner

Vs.

The State rep. by
The Inspector of Police
T12, Poonamalli Traffic Investigation Wing,
Chennai-600 056.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondent police to furnish the required documents mentioned in my legal notice dated 20.11.2015 and representation dated 08.03.2016 pertaining to the case in Crime No.865/PH1/2015 in compliance with Sec.158(6) of the Motor Vehicles Act, 1988 within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to direct the respondent police to furnish the required documents mentioned in the petitioner's legal notice dated 20.11.2015 and representation dated 08.03.2016 pertaining to the case in Crime No.865/PH1/2015 in compliance with Sec.158(6) of the Motor Vehicles Act, 1988 within the time.

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

3. On the complaint lodged by M.Bose, the respondent police registered a case in Crime No.865/PH1/2015 on 19.08.2015 under Sections 279 & 338 IPC.

4. It is the case of Bose, that while he and V.Sethu were coming by two wheeler, they were hit by a white Tata Indica car bearing registration No.TN-69-P-6515. Hence, the FIR. It is seen that Bose has issued a legal notice dated 20.11.2015 to the police, calling for the vehicle records and licence copy of the driver of the vehicle No.TN-69-P-6515 for the purpose of filing Motor Accident Claim petition. Since, there was no response from the police, Bose is before this Court seeking the aforesaid direction.

5. Learned Additional Public Prosecutor submitted that the investigation conducted by the police shows that there is no such vehicle bearing registration no. TN-69-P-6515 registered with the Regional Transport Office, Poonamallee and that the police are still proceeding with the investigation in order to find out the vehicle and the driver, who drove the car.

6. Under such circumstances, a direction as prayed for by the petitioner cannot be granted. However, the Assistant Commissioner of Police, Traffic Investigation Wing, Poonamallee, Chennai is directed to monitor the investigation in Crime No.865/PH1/2015 and bring the guilty to picture.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Assistant Commissioner of Police,
Poonamalli Traffic Investigation Wing,
Chennai-600 056.

2. The Inspector of Police
T12, Poonamalli Traffic Investigation Wing,
Chennai-600 056.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Manokaran, Advocate, S.R.No.69967

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SK(CO)
CA(28/12/2016)