

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5981 of 2016

Komalavalli

.. Petitioner

Vs.

1. The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District

2. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to furnish the certified copies of the above all documents, ie., altered FIR, Sketch, both vehicles RC Book, Policy Copies, Driving License of both drivers, postmortem copy of the deceased and charge sheet in Crime No.173 of 2016 on the file of 1st respondent.

For Petitioner	:	Mr.V.Velu
For Respondents	:	Mr.C.Emalias Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the respondents to furnish the certified copies of the documents, ie., altered FIR, Sketch, both vehicles RC Book, Policy Copies, Driving License of both drivers, postmortem copy of the deceased and charge sheet in Crime No.173 of 2016 on the file of 1st respondent.

2. The learned counsel for the petitioner submits that the petitioner is the wife of the deceased, who died in the motor accident occurred on 31.03.2006 and the 1st respondent has registered a case in Crime No.173 of 2006 for offence under Sections 279, 337, 338 of IPC. The learned counsel for the petitioner would further submit that since the petitioner's husband was the sole bread winner of the family, she seeks the above said documents for the purpose of getting compensation. Though the petitioner had requested the 1st respondent several

times to furnish the said documents and sought the said documents through Right to Information Act, the respondents have not furnished the same. Therefore, the petitioner has come forward with this petition for the above stated relief.

3. Heard the learned Additional Public Prosecutor.

4. Admittedly, it is seen from the record that the petitioner has not sent any representation to the respondents seeking to furnish the above stated documents. Further, it is evident from the record that the petitioner has sought for the documents from the 2nd respondent through Public Information Officer by way of an application under Right to Information Act. The said application has been properly replied, vide Letter No.41/RTI/ADSP/HQ/TVM/2016 dated 06.03.2015.

5. Considering the submissions made on either side and upon perusal of the papers placed on record, this Court is of the view that once the application filed before the RTI is disposed of and if the petitioner is aggrieved by the said order, she has to work her remedy before the Appellate Forum against the order passed by the RTI. But the petitioner has filed this petition without exhausting the said remedy. Therefore, the Petition deserves to be dismissed and it is hereby dismissed.

In the result, this Criminal Original Petition is dismissed.
ssd

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District
2. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District
3. The Public Prosecutor, High Court, Chennai.
+ 1 cc to Mr.V.Velu, Advocate Sr 4452 (27/4/16)

sns (co)
prk5/4

Cr1.O.P.No.5981 of 2016