



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.6944 of 2016

Malaiyayee

... Petitioner

-vs-

1. The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2. The Inspector of Police,
Aaviyur Police Station,
Virudhunagar District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent to direct the 2nd respondent to complete the investigation in Crime No.174 of 2015 dated 24.10.2015 and to file a final report under the supervision of the 1st respondent.

For Petitioner : Mr.J.Jeyakumaran
For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

ORDER

The petitioner seeks a direction to the 1st respondent to direct the 2nd respondent to complete the investigation in Crime No.174 of 2015 dated 24.10.2015 and to file a final report under the supervision of the 1st respondent.

2. Heard the learned counsel on either side.

3. The petitioner is stated to be an agricultural coolie. It is alleged that on 24.10.2015, when the petitioner's husband and his friends were riding two wheel motor cycles, one container lorry came in a rash and negligent manner and dashed against the petitioner's husband Chandran; that the deceased died on the spot. On the same day, a complaint has been preferred and a case has been registered in Crime No.174 of 2015 for an offence under Section 304(A) IPC.



3a. The grievance of the petitioner herein is that after registration of the FIR under the caption "Hit & Run", no further investigation has been conducted. The specific allegation made in the petition is that though one Velusamy, who is none other than the friend of the petitioner's husband, appeared before the respondent police for enquiry and identified the container lorry, the accused has not yet been arrested. Therefore, the petitioner has invoked the provisions of Section 482 Cr.P.C., seeking for the above relief.

4. At this juncture, there is an undertaking by the learned Government Advocate (Crl.Side) to the effect that the 2nd respondent will conduct further investigation in the matter and complete the same within three months of the receipt of the order copy.

5. In view of the above submission, this Criminal Original Petition is disposed of with a direction to the 2nd respondent to conduct further investigation of the case in Crime No.174 of 2015 under the supervision of the 1st respondent and on its due completion, file a final report before the concerned Court, within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

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To:

1. The Superintendent of Police, Virudhunagar,
Virudhunagar District.
2. The Inspector of Police, Aaviyur Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.J.Jeyakumaran Advocate Sr.No.27368

GJM/SK/SKN/17.6.16-2p-5C