

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.7408 of 2017

Saravanan Selvaraj

... Petitioner

Vs

1. The Deputy Commissioner of Police,
Traffic Division - South
Anna Salai, St. Thomas Mount
Chennai - 600 016.

2. The Inspector of Police,
Traffic Division,
S-13, Chrompet Police Station
Tambaram, Chennai - 45.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to further investigate in the complaint dated 08.11.2016 in accordance with law and consequently direct the first respondent to monitor the said investigation and file periodic reports in FIR in Crime No.668 of 2016 before this Court within the time frame fixed by this Court.

For Petitioner : M/s.Nathan and Associates

For Respondents : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed to direct the second respondent to conduct further investigation on the complaint dated 08.11.2016 in accordance with law and consequently direct the first respondent to monitor the said investigation and file periodic reports in the FIR in Crime No.668 of 2016 within the time frame fixed by this Court.

2. The case of the petitioner is that a case in Crime No.668/2016 came to be registered by the second respondent police for the offences punishable under Sections 279 and 337 IPC, as if on 08.11.2016 at about 7.30pm, when the brother of the petitioner Vivan Richards was riding his motor cycle bearing No.TN 11 H 5868 on Velachery Main Road, near Sembarabakkam Ponnu

Super Market, on seeing a cow which suddenly crossed the road, he fell down and sustained severe head injuries. Disputing the manner in which the accident happened, as stated in the FIR, the petitioner made a second complaint dated 03.12.2016 to the second respondent requesting to conduct further investigation about the accident occurred on 08.11.2016 and to find out the real accused person, who, according to the petitioner, drove a four wheeler and while who was trying to overtake the motor cycle riding by the injured, the accident occurred and to alter the FIR. However, the said complaint was neither received nor enquiry was conducted by the second respondent. Hence, this Criminal Original Petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the respondent to consider the request of the petitioner and conduct investigation of the case in Crime No.668 of 2016 pending on his file and file a final report, as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, the Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

1. The Deputy Commissioner of Police, Traffic Division - South Anna Salai, St. Thomas Mount, Chennai - 600 016.

2. The Inspector of Police,
Traffic Division,
S-13, Chrompet Police Station
Tambaram, Chennai - 45.

3. The Public Prosecutor, High Court, Madras -104.

+1cc to M/s.Nathan and Associates, Advocate in sr.no.42020

Cr1.O.P.No.7408 of 2017

MP (CO)
NR 04/07/2017