



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.9054 of 2017

J.Balamani

... Petitioner

-Vs-

1.The Director General of Police,
Office of the Director General of Police,
Dr.Rathakrishanan Road,
Chennai.

2.The Additional Director General of Police,
(CBCID),
Office of the Additional Director General of Police,
(CBCID), Chennai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

4.The Inspector of Police,
Chatrapati Police Station,
Madurai District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent No.1, to withdraw the case in Crime No.58 of 2016 on the file of the Respondent No.4 and to entrust the same to Respondent No.2 within the time stipulated by this Court.

For Petitioner

: Mr.R.Alagumani

For Respondents

: Mr.K.Anbarasan,

Government Advocate(Crl.side).

O R D E R

The petition is for a direction, directing the first respondent to withdraw the case in Crime No.58 of 2016 on the file of the fourth Respondent and to entrust the same to the second Respondent.

<https://hcservices.courts.gov.in/hcservices/> The content of the petitioner is that the petitioner's husband met with an accident and as a result, he died and another one was injured.



3. The accident was caused by a brick loaded lorry. Though the accident took place on 20.08.2016 and the case was registered in Crime No.58 of 2016 under Sections 279, 338, 304(A) IPC, the petitioner states that the fourth respondent has not taken any steps to find out the owner of the lorry, which caused the accident. It is only on the ground that there was an inordinate delay and there was no proper investigation, the petitioner has come with the above criminal original petition.

4. The learned Government Advocate appearing for the respondents, on instructions, submitted that though the accident occurred on 20.08.2016, the information about the involvement of particular vehicle was made available only on 27.03.2017. It is thereafter the fourth respondent has taken several steps towards gathering evidence. He further submitted that in any event, enquiry will be completed and final report will be filed within a period of three months time.

5. In such circumstances, having regard to the fact that no mala fide is alleged is against the investigation officer, this Court is inclined to pass the following order:

"The fourth respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order".

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Director General of Police,
Office of the Director General of Police,
Dr.Rathakrishanan Road, Chennai.

2. The Additional Director General of Police, (CBCID)
Office of the Additional Director General of Police,
(CBCID), Chennai.

3. The Superintendent of Police,
Office of the Superintendent of Police,



4.The Inspector of Police,
Chatrapati Police Station,
Madurai District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.Alagumani, Advocate SR.No. 68762

Crl.O.P.(MD) No.9054 of 2017
27.07.2017

cmr/lis

JM/KP/SAR 3/03.08.2017/3P/7C