

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.17725 of 2018
and Crl.M.P.Nos.9203 of 2018

P.Pandi

... Petitioner

Vs

1. The State rep. by
The Inspector of Police,
Kundadam Police Station,
Kundadam, Tirupur District.
(Crime No.156 of 2018)

2. Jeyalakshmi

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.156 of 2018 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Ms.Kritika Kamal (for R1)
Govt. Advocate [Crl. Side]

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.156 of 2018 on the file of the 1st respondent.

2.Heard the learned counsel for the petitioner and perused the materials placed on record.

3.On the complaint lodged by one Jayalakshmi, the respondent Police have registered a case in Crime No.156 of 2018 on 15.06.2018 under Section 279 and 304[A] IPC against the driver of Tamil Nadu State Transport Corporation bus bearing registration No.TN58N 2270. For quashing which, this petition has been filed .

4.Mr.Camyles Gandhi, learned counsel for the petitioner submitted that even on the reading of the FIR, Jayalakshmi was not the eyewitness and that, she obtained secondary information from one Karupaiah and Prakash, based on which, the FIR has been registered only for the purpose of claiming MCOP compensation. He contended that the petitioner bus was nowhere involved in the accident.

5.Though there is sufficient force in the submission of Mr.Camyles Gandhi, yet the FIR cannot be quashed at the threshold, without a full fledged investigation. The fact remains that Jayalakshmi's son Rajeshkanna had died in the accident that took place on 14.06.2018. This has to be thoroughly investigated by the Police. Hence, this Court directs the Deputy Superintendent of Police, in charge of Kundadam Police Station, Tiruppur District to monitor the investigation in Kundadam PS Crime No.156 of 2018 and find out the truth. If it is seen that the petitioner has been falsely implicated, it is needless to state that further action against the petitioner should be dropped. The investigation shall be completed within a period of six months from the date of receipt of a copy of this order, provided there is no any legal impediment.

With the above direction, this petition is closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

gya

To

1.The Deputy Superintendent of Police,
in charge of Kundadam Police Station,
Tiruppur District.

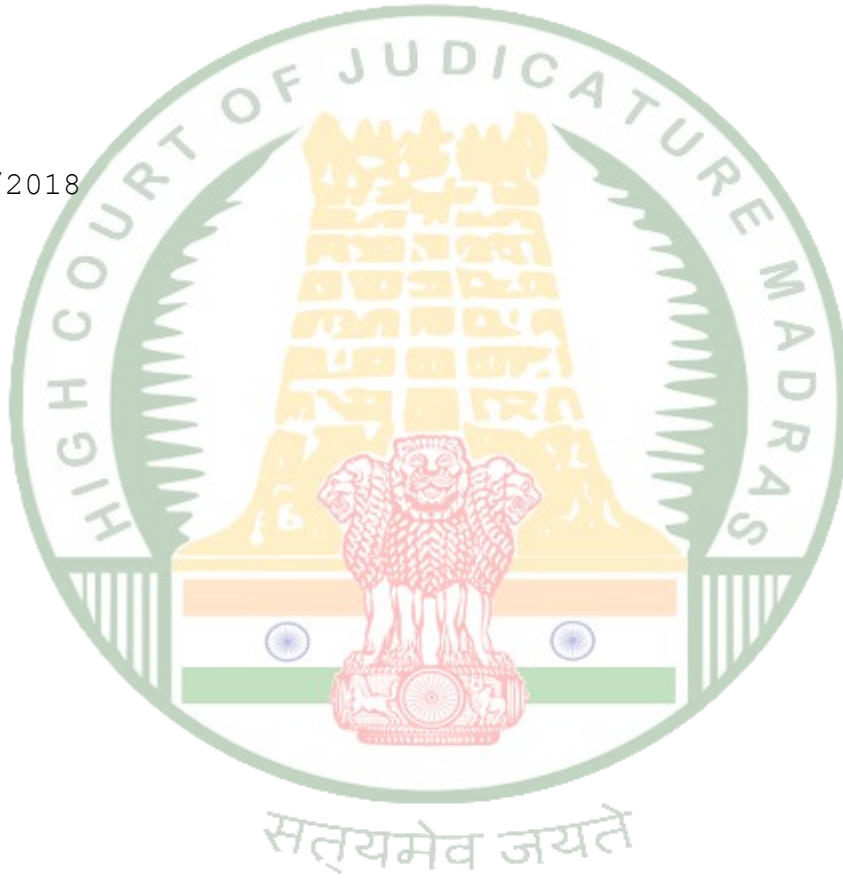
2.The Inspector of Police,
Kundadam Police Station,
Kundadam, Tiruppur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.Camyles Gandhi, Advocate Sr.45786

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srg 25/07/2018



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