

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

CORAM:

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.30561 of 2018

Sridhar

... Petitioner

Vs.

- 1.The Deputy Commissioner of Police,
Traffic Investigation Wing,
Triplicane, Chennai - 600 005.
- 2.The Inspector of Police,
D6, Anna Square Police Station (Traffic),
Chennai - 600 005.
- 3.Indria,
Sub Inspector of Police,
D6, Anna Square Police Station (Traffic),
Chennai - 600 005.
- 4.M/s. United India Insurance Co. Ltd.,
No.134, 4th Floor, Silingi Building,
Greams Road, Chennai - 600 006.
- 5.The District Collector,
Chennai District Collector Office,
Chennai- 600 001.
- 6.The Commissioner of Police,
Chennai Police,
Vepery, Chennai - 600 007.
- 7.Prasinna Sivansulin
- 8.Nithya Sagaya Mari
- 9.Lawrence

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to consider and thereby disposing the representation made petitioner on 27.11.2017 respectively and for to conduct the fair and transferable investigation / enquiry based Crime No.295/T3/2017 registered by the 3rd respondent, D-6, Anna Square Traffic Investigation Police, Chennai -5 and conducts the adjudication process within the time frame.

For Petitioner : M/s.K.Yuvaraj

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R.1 to R.6

O R D E R

This petition has been filed seeking for a direction to the respondent police to conduct a fair investigation in Crime No. 295/T3/2017.

2.The learned counsel for the petitioner would submit that he was riding the motor cycle on 15.08.2017 and on his way back to home, the motor cycle driven by the seventh respondent dashed against the vehicle of the petitioner. The petitioner sustained grievous injuries and was admitted to the Rajiv Gandhi Government Hospital, Chennai. Based on the complaint, an FIR was registered by the third respondent in Crime No. 295/T3/2017 for an offence under Sections 279 and 338 of IPC. The petitioner was not satisfied with the manner in which the investigation was conducted and therefore a representation was made before the Assistant Commissioner of Police, Chennai. The learned counsel further submitted that there is no fair and transparent investigation in this case and therefore the petitioner has approached this Court.

3.The learned Additional Public Prosecutor, on instructions, would submit that on the representation made by the petitioner, the Assistant Commissioner of Police (Traffic), Chennai (East) has conducted an enquiry and he was satisfied with the manner in which the investigation has been done by the third respondent. The learned counsel further submitted that the investigation is almost completed and a final report will be filed within a period of two weeks.

4.This petition is disposed of with a direction to the third respondent to conduct fair and transparent investigation and proceed against the person, who was actually negligent at the time of the accident. The investigation shall be completed and

the final report shall be filed by the third respondent within a period of one month from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Commissioner of Police,
Traffic Investigation Wing,
Triplicane, Chennai - 600 005.
- 2.The Inspector of Police,
D6, Anna Square Police Station (Traffic),
Chennai - 600 005.
- 3.Indria,
Sub Inspector of Police,
D6, Anna Square Police Station (Traffic),
Chennai - 600 005.
- 4.M/s. United India Insurance Co. Ltd.,
No.134, 4th Floor, Silingi Building,
Greams Road, Chennai - 600 006.
- 5.The District Collector,
Chennai District Collector Office,
Chennai- 600 001.
- 6.The Commissioner of Police,
Chennai Police,
Vepery, Chennai - 600 007.
- 7.The Public Prosecutor,
High Court of Madras.

+2cc to Mr.K.Yuvaraj, Advocate, S.R.No.79698

W.P.No.30561 of 2018

CNR(CO)
GSP(20/12/2018)