



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD)No.3744 of 2018

WEB COPY

V.Jeyabirundha

... Petitioner

-Vs-

1. The Superintendent of Police,
Theni District,
Theni

2. The Inspector of Police,
CBCID,
Theni,
Theni District.

3. The Sub-Inspector of Police,
Allinagaram Police Station,
Theni,
Theni District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent Superintendent of Police to take away the investigation in Cr.No.462/2017 on the file of the Allinagaram Police Station, Theni from the 3rd respondent and to entrust the same to the 2nd respondent CBCID.

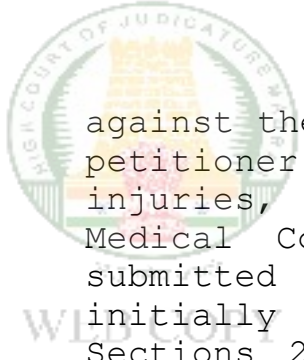
For Petitioner	: Mr.P.Senthur Pandian
For Respondents	: Mr.Prabhu Ramachandran Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the first respondent to take the investigation in Cr.No.462 of 2017 from the file of the third respondent and to entrust the same to the second respondent or any Police Officer of competency or efficiency of his choice.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side).

3.The learned counsel for the petitioner has submitted that on 10.11.2017 at about 10.00 p.m, the petitioner's husband Ram Mohan, while crossing the Theni-Periyakulam main road, at Theni, an unknown person, who has driven a Royal Enfield Motor Bike hit



against the petitioner's husband and due to the said accident, the petitioner's husband sustained serious injuries and succumbed to injuries, while he was taking treatment in the Government Rajaji Medical College Hospital, Madurai, on 16.11.2017. He further submitted that based on the complaint given by the petitioner, initially a case was registered in Cr.No.462 of 2017 under Sections 279 and 337 I.P.C. He further submitted that in the complaint, vehicle number has not been given. But, however, subsequently on enquiring with the person, who have witnessed the occurrence, the petitioner came to know that the motor cycle bearing Regn.No.TN.16-AA-7273 was involved in the accident. Hence, the petitioner sent a representation to the first respondent on 05.12.2017, but, sofar no action has been taken.

4.The learned Government Advocate (Crl.Side) has submitted that since in the complaint, vehicle number has not been mentioned, the third respondent is investigating the matter with regard to the identity of the vehicle and hence, the matter is still pending. He further submitted that in spite of sincere efforts for identifying the vehicle, third respondent could not identify the vehicle and hence, the investigation is still pending.

5.Considering the aforesaid submissions, the first respondent is directed to monitor the investigation and he is also directed to give instructions to the third respondent to investigate the matter, in the light of the informations furnished by the petitioner by her representation, dated 05.12.2017 and fix the vehicle and file final report within 2 months from the date of receipt of copy of this order.

6.With the aforesaid direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District
Theni.

2. The Inspector of Police,
CBCID,
Theni,



3. The Sub-Inspector of Police,
Allinagaram Police Station,
Theni,
Theni District.

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

+1cc to Mr.P.Senthur Pandian, Advocate SR.No.57345

VS

VB/SV/MMS/SAR1/09.04.2018/3P/6C

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