

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2176 of 2019

P.Subramanian

...Petitioner

Vs.

1.The Superintendent of Police,
Namakkal District,

2.The Inspector of Police,
Namakkal Police Station,
Namakkal District.
Crime No.655/2018.

...Respondents

PRAYER:Criminal Original Petition filed under Section 482 of Cr.P.C. , praying to transfer the investigation of the case in Crime No.655/2018 dated 12.08.2018 from the 2nd respondent police to any other unbiased independent investigation agency under the supervision of the 1st respondent.

For Petitioner : Mr.S.Senthil

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The learned counsel for the petitioner would submit that, on 11.08.2018, petitioner's son met with an accident and subsequently his brain was dead. Subsequently all his organs were donated to other patients. Thereafter, the case was registered in Crime No.655 of 2018, for an offence under sections 279 and 338 IPC.

2. After death of the son of the petitioner, the case was altered to the offence under section 304 (A) IPC on 14.08.2018. The Second respondent took up investigation and no effective steps have been taken to trace out the accused vehicle. Even after submitting the CCTV footage of the said occurrence to the second respondent, the second respondent had not taken any action against the accused persons.

3. Hence, the petitioner sought for transfer of investigation in Crime NO.655 of 2018 on the file of the second respondent to the other investigating agency.

4. The learned Additional Public Prosecutor submitted that, now after verifying the CCTV footage they have found that the vehicle involved in the said accident, bears registration number as TN 88 C 5801 and also found that it is the TATA Indigo white Colour car and the investigation as on.

5. Considering the above facts and circumstances and also the FIR is pending from 12.08.2018, the first respondent is directed to monitor the investigation conducted by the second respondent in this regard. The second respondent is directed to complete the investigation and file a final report within a period of two months from the date of receipt of a copy of this order.

6. With the above observation, this Criminal Original petition stands disposed of.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mpa/rpl

To

1. The Superintendent of Police,
Namakkal District,

2. The Inspector of Police,
Namakkal Police Station,
Namakkal District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Senthil, Advocate, S.R.No. 10188

Cr1.O.P.No.2176 of 2019

GN(19/02/2019)