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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.17889 of 2019

M.Elumalai

... Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Rosanai Police Station,
Villupuram District.

3.State represented by
The Sub-Inspector of Police,
Vellimedupettai Police Station,
Villupuram District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.2/2019 on the file of the 3rd respondent and to entrust the investigation of the same to the second respondent and to file final report according to law.

For Petitioner : Mr.S.L.Venkatesan

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

ORDER

This petition has been filed seeking to transfer the investigation pending on the file of the third respondent in Crime No.2 of 2019.

2.It is the grievance of the petitioner that the petitioner was travelling in a two wheeler and he was dashed by a vehicle coming in the opposite direction which was driven in a rash and negligent manner by the accused person. The petitioner and his friend sustained serious injuries due to the accident and they were admitted in the Government Hospital, Tindivanam and took treatment for nearly 18 days.



3.The accused person in order to escape from the consequences, had filed a complaint before the respondent police and the same was registered in Crime No.2 of 2019 for the offences under Sections 279, 337 of IPC. However, the complaint given by the petitioner was not even taken on file. The petitioner was also sending representation to the higher authorities and that has also not been acted upon by the higher authorities. Therefore, the present petition has been filed before this Court.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

5.Taking into consideration the facts and circumstances of this case, there shall be a direction to the second respondent to register the First Information Report based on the complaint given by the petitioner for the incident that took place on 31.12.2018 and both the First Information Reports shall be investigated and a final report shall be filed based on the materials collected during the investigation.

6.This Court is not inclined to transfer the investigation in Crime No.2 of 2019 and no useful purpose will be served by ordering for such a transfer.

7.With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

pnn

To

1.The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Rosanai Police Station,
Villupuram District.



3.The Sub-Inspector of Police,
Vellimedupettai Police Station,
Villupuram District.

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+1cc to Mr.S.L.Venkatesan, Advocate sr.57070

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nr 19/08/2019