



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P. (MD) No.6667 of 2019

R.Kandasamy

... Petitioner

Vs.

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

2. The Inspector of Police,
Kulathur Police Station,
Vilathikulam Taluk,
Thoothukudi District.

3.P.Chandrasemaran

... Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the 2nd respondent the Inspector of Police, Kulathur Police Station to reinvestigate the case by incorporating the offences under section 279, 337 & 304A of IPC by altering the FIR registered in Crime No.7/2019 pending on the file of the Kulathur Police Station as it is being malafide and defective and improper and to investigate the accident occurred at about 4.00 pm on 20/01/2019 at Vallinayagapuram Village near Kurukkusalai of Thoothukudi under the direct supervision of the 1st respondent, the Superintendent of Police, Thoothukudi in accordance with law.

For Petitioner : Mr.A.Selvam
For R1 & R2 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

O R D E R

This petition has been filed seeking direction to the second respondent to reinvestigate the case by incorporating relevant offences under IPC by altering the FIR registered in Crime No.7 of 2019, pending on the file of the Kulathur Police Station.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2.

3.The grievance of the petitioner is that the petitioner's son died in a road accident and based on the complaint given by the petitioner, the second respondent conducted investigation and closed the complaint. In the above circumstances, the petitioner made a representation to the first respondent, Superintendent of Police for



transfer of investigation. Since the same has not been considered, the present petition has been filed.

4. When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2, on instructions, submitted that now investigation has been reopened based on the order passed by the Deputy Superintendent of Police, Vilathikulam, the case has been handed over to the Inspector of Police, Ettayapuram and the investigation is in progress.

5. As already fresh investigation is ordered, no further order is required in this petition. Accordingly, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
2. The Inspector of Police,
Kulathur Police Station,
Vilathikulam Taluk,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1. The Deputy Superintendent of Police,
Vilathikulam.
2. The Inspector of Police,
Ettayapuram.

+2 CC to Mr.A.SELVAM, Advocate (SR-68625[F] dated 13/06/2019)

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