



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Cr1.O.P.(MD)No.937 of 2017

T.Rajamanickam

... Petitioner

Versus

1.The Sub-Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
(Crime No.223 of 2012)

2.The Superintendent of Police,
CBCID,
Tuticorin District,
Tuticorin.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent herein to hand over the investigation in Crime No.223 of 2012 to the second respondent herein or some other investigation agency.

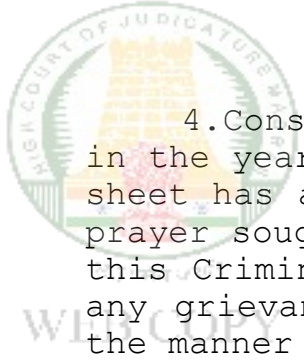
For Petitioner : Ms.T.Sathya Selvi
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate
(Criminal side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent herein to hand over the investigation in Crime No.223 of 2012 to the second respondent herein or some other investigation agency.

2.The grievance of the petitioner is that one Sankaran died in a road accident on 29.09.2012, based on that, a case in Crime No.223 of 2012 has been registered under Sections 279, 337 and 304(A) IPC, by the first respondent police, but the crime was not investigated properly by the first respondent, hence, this Petition.

3.The learned Government Advocate (Criminal side) appearing for the respondents submitted that it is a hit and run case. The first respondent police, after investigation, was not able to find out the vehicle and filed a final report on 01.11.2014 closing the complaint and the referred charge sheet has been served in R.C.S.No.62 of 2017 on 16.05.2017.



4.Considering the fact that the investigation was already over in the year 2014 and final report has been filed and referred charge sheet has also been filed in R.C.S.No.62 of 2017 on 16.05.2017, the prayer sought for by the petitioner cannot be granted. Accordingly, this Criminal Original Petition is dismissed. If the petitioner has any grievance over the closure report, he can agitate the same in the manner known to law.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Sub-Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
 - 2.The Superintendent of Police,
CBCID,
Tuticorin District,
Tuticorin.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to Mr.D.SARAVANAN, Advocate SR-69019.

Cr1.O.P. (MD) No.937 of 2017
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CS: (02/07/2019) 3P 5C