



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.11330 of 2018

WEB COPY

K.Angammal

...Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Traffic Investigation Wing-South,
Trichy City.

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the respondents to trace and seize the vehicle involved in the case in Crime No. 107 of 2018 registered on the file of the second respondent police station and subject the same to the legal proceedings within the time stipulated by this Court.

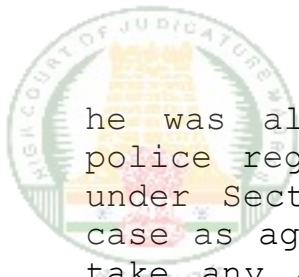
For Petitioner	:	Mr.S.Malaikani
For Respondents	:	Mr.K.Suyambulinga Bharathi
		Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the respondents to trace and seize the vehicle involved in the case in Crime No. 107 of 2018 registered on the file of the second respondent police station.

2.The case of the prosecution is that on 28.04.2018, the petitioner's husband viz., Ganesh was fatally knocked down by a vehicle near Pirattiyoor Skoda Car Company and he was also died in the said accident. The second respondent police registered a case in Crime No.107 of 2018 for an offence under Section 304-A of IPC on 29.04.2018. After registering the case as against the unknown vehicle, the second respondent did not take any action to find out the vehicle involved in the crime. Hence, the petitioner sent a representation on 30.05.2018. Even though, there was no action to secure the vehicle.

3. The learned counsel for the petitioner would submit that on 28.04.2018, the petitioner's husband viz., Ganesh was fatally knocked down by a vehicle near Pirattiyoor Skoda Car Company and



he was also died in the said accident. The second respondent police registered a case in Crime No.107 of 2018 for an offence under Section 304-A of IPC on 29.04.2018. After registering the case as against the unknown vehicle, the second respondent did not take any action to find out the vehicle involved in the crime. Hence, the petitioner sent a representation on 30.05.2018. Even though, there was no action to secure the vehicle. Due to which, the petitioner cannot claim compensation before the Motor Accident Tribunal. Hence, he prayed to allow this petition.

4.The learned Government Advocate (Crl.Side) appearing for the respondents would submit that in the place of accident, there was no CCTV camera and as such, they could not find out the vehicle involved in the accident.

5.Considering the above facts and circumstance, the second respondent is directed to take effective steps to find out the vehicle involved in the accident and file final report within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

dss
To

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.
- 2.The Inspector of Police,
Traffic Investigation Wing-South,
Trichy City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.11330 of 2018
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