

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 10817 of 2020

Sabari

... Petitioner

Vs.

1. State represented by  
Superintendent of Police,  
Krishnagiri District.
  2. The Deputy Superintendent of Police,  
Uthangarai,  
Krishnagiri District.
  3. Inspector of Police,  
Singarapettai Police Station,  
Singarapettai, Uthangarai Taluk,  
Krishnagiri District.
- ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to transfer the investigation in crime No.652 of 2020 on the file of the 3<sup>rd</sup> respondent police to any other investigating agency and direct them to conduct fresh investigation.

For Petitioner : Mr.G.Arul Murugan

For Respondent : Mr.S.Karthikeyan,  
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for transfer of investigation in Crime No.652 of 2020 from the file of 3<sup>rd</sup> respondent to the file of any other investigating agency.

2. The learned counsel appearing for petitioner would submit that the petitioner's husband met with an accident and died. Immediately, a complaint was lodged and the same was registered in Crime No.652 of 2020 for the offence under Sections 279 and 304(A) I.P.C. Though it is a case of hit and run, there is a CCTV installed in a bakery situated within the distance of 150 ft. From the place of accident. Even then, the 3<sup>rd</sup> respondent did not collect any CCTV footage and simply kept the case in a cold storage without any investigation.

3. The learned Additional Public Prosecutor would submit that the 3<sup>rd</sup> respondent has explored all the possibilities for collecting evidence to find out the vehicle, which hit the petitioner's husband and the 3<sup>rd</sup> respondent also found no CCTV footage is available within a distance of 150 ft. from the place of accident. Even then, they are taking very serious steps to find out the vehicle, which caused the accident.

4. Considering the above submissions, it is seen that now the 3<sup>rd</sup> respondent had took up the investigation and it is pending. At this stage, the transfer of investigation would affect the entire investigation. However, the 3<sup>rd</sup> respondent is directed to collect whatever the evidence available in and around the place of accident such as CCTV footage and other evidences and to complete the investigation and file a final report within a period of three months from the date of receipt of the copy of this order. The 2<sup>nd</sup> respondent is directed to monitor the investigation done by the 3<sup>rd</sup> respondent.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-  
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

rpp

To

1. The Superintendent of Police,  
Krishnagiri District.
2. The Deputy Superintendent of Police,  
Uthangarai,  
Krishnagiri District.
3. Inspector of Police,  
Singarapettai Police Station,  
Singarapettai, Uthangarai Taluk,  
Krishnagiri District.
4. The Public Prosecutor,  
High Court of Madras, Chennai.

+1cc to Mr.G.Arul Murugan, Advocate SR.No.25023

CRL.O.P. No. 10817 of 2020

SSV (CO)

<https://hcservices.courts.gov.in/hcservices/>  
GMI (07/08/2020)