

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.03.2020
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.16241 of 2019

V.L.N.T.Vijayakumar

...Petitioner

-Vs-

1.The Superintendent of Police,
District Superintendent of Police Office,
Villupuram-605 602.

2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Officer,
Gingee-605 202.

3.The Inspector of Police,
Ananthapuram Police Station,
Gingee Taluk,
Villuppuram-604 201.
Crime No.163 of 2018.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer of the investigation Crime No.163 of 2018 in 3rd respondent Inspector of Police Ananthapuram to 2nd respondent Deputy Superintendent of Police, Gingee or other investigation Officer to file the final report within the time limit fixed by this Hon'ble Court.

For Petitioner : Mr.R.Mohana Raja
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to transfer of the investigation in Crime No.163 of 2018 on the file of the third respondent Inspector of Police Ananthapuram to second respondent Deputy Superintendent of Police, Gingee or other investigation Officer and also to file the final report.

2. The learned counsel for the petitioner would submit that the petitioner is the son of the deceased one A.Vehkatachalam, who is an Ex Service Man. On 01.05.2018, the deceased standing along with his two wheeler in the inner road for crossing the road to his village. At that time, one Tata Ace bearing Reg. No.TN 32AC 4095 hit the deceased vehicle in a rash and negligent manner, due to which the deceased sustained

griveous injuries. Thereafter, the deceased was taken to the JIPMER hospital, Puducherry, at around 12.40 a.m., the petitioner's father died. Hence, the petitioner lodged complaint dated 02.05.2018 before the third respondent, but no action has been taken till today. Hence, the petitioner has filed this petition.

3. The learned Additional Public Prosecutor would submit that the investigation has been completed in Cr.No.163 of 2018 and also filed a final report as undeducted one before the learned Judicial Magistrate, Gingee on 20.01.2019.

4. Heard Mr.R.Mohana Raja, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents.

5. The specific case of the petitioner is that while his father was stand along with his two wheeler on 01.05.2018, the Tate ACE vehicle bearing Registration No.TN32AC4095 was driven by its driver in a rash and negligence manner and hit his father. Therefore, he sustained grievous injuries and died after the period of 20 days. Though the petitioner lodged complainant and specifically stated the vehicle number and also furnished the footage of CCTV, the third respondent did not even conduct enquiry the said vehicle and also verify the CCTV footage and simply closed the file and reported undeducted one.

6. Considering the above facts and circumstances, the third respondent is directed to conduct further investigation on the information submitted by the petitioner and conduct enquiry on the driver-cum-owner of the Tata Ace vehicle bearing registration No.TN.32AC4095 and also verify the CCTV footage and file the final report in Crime No.163 of 2018 within a period of six weeks from the date of receipt of a copy of this Order. The second respondent is directed to monitor the investigation done by the third respondent and shall ensure that the third respondent comply the conditions imposed by this Court.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Superintendent of Police,
District Superintendent of Police Office,
Villupuram-605 602.

2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Officer,
Gingee-605 202.

3.The Inspector of Police,
Ananthapuram Police Station,
Gingee Taluk,
Villuppuram-604 201.
Crime No.163 of 2018.

4.The Public prosecutor
High Court, Madras

+1 cc to Mr.Mohana Raja Advocate sr18673

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