

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2020

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12238 of 2020

Mr.R.Sudhakar,
S/o Raghupathy,
No.2/38,3rd Cross Street, Sakthivel Nagar,
Peravellur, Kolathur, Chennai - 600 082.

...Petitioner

vs

1.The Commissioner of Police,
Greater Chennai Police,
Office of the Commissioner of Police,
Veppery, Chennai - 600 007.

2.The Inspector of Police,
Traffic Intelligence Wing Poonamallee,
Poonamallee,
Chennai - 600 054.

...Respondents

PRAYER:- This Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the 2nd respondent to send the Lorry bearing Registration No. TN 04 AT 8615 TIPPER TAURUS LORRY for performing Motor vehicle test.

For Petitioner : Mr.A.Arfat Mohammed

For Respondents : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

Seeking a direction to the 2nd respondent to send the Lorry bearing Registration No. TN 04 AT 8615 TIPPER TAURUS LORRY for performing Motor vehicle test, the petitioner is before this Court with this Criminal Original Petition.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.It is seen that the petitioner is the owner of the vehicle bearing registration No. TN 04 AT 8615 TIPPER TAURUS LORRY which was involved in an accident, which took place on 13.07.2020. While the Driver was riding the said Lorry, it was met with an accident at Minjur to Vandalur 400 feet outer ring road near Pudu Vellanur Road junction at about 7.00 pm.

Immediately on the complaint lodged by the defacto complainant, the case was registered in Crime No.460 of 2020 for the offence under Sections 283 and 304(A) of I.P.C., as against the accused person. In pursuant to the said crime, the vehicle was seized by the second respondent and it was kept under the custody of second respondent Police Station, without even sending the vehicle for motor vehicle inspection.

4.The learned Additional Public Prosecutor appearing for the respondents would submit that due to COVID 19 pandemic situation, the second respondent could not able to produce the vehicle bearing registration No. TN 04 AT 8615 TIPPER TAURUS LORRY before the concerned Motor vehicle Inspector for inspection.

5.Considering the above submission made by the learned Additional Public Prosecutor appearing for the respondents, the second respondent is directed to produce the vehicle bearing registration No.TN 04 AT 8615 TIPPER TAURUS LORRY which was involved in Crime No.460 of 2020 before the Motor vehilce Inspector for inspection forthwith.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
Greater Chennai Police,
Office of the Commissioner of Police,
Veppery, Chennai - 600 007.

2.The Inspector of Police,
Traffic Intelligence Wing Poonamallee,
Poonamallee,
Chennai - 600 054.

3.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Arfat Mohammed, Advocate in Sr.No.26808

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