

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.32943 of 2019

R.Stella

...Petitioner

-Vs-

The Inspector of Police,
Traffic Investigation Wing,
(TIW-Adyar)
Adyar, Chennai-600 020.

.... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent to investigate the complaint in FIR No.322 of 2018, pending on the file and collect the relevant record and furnish the copy to the petitioner so as to enable her to file petition before the M.A.C.T and other forums for compensation for her son's death.

For Petitioner : Mr.A.Tamilvanan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed for investigation, directing the respondent to investigate the complaint in FIR No.322 of 2018, pending on the file and collect the relevant record and furnish the copy to the petitioner so as to enable her to file petition before the M.A.C.T and other forums for compensation for her son's death.

2. The learned counsel for the petitioner submitted that on 15.07.2018, the petitioner's son and his friend parked his vehicle for drinking tea. At that time a vehicle bearing Reg.No. TN-10-AX-3769 KTM Race bike in a rash and negligent manner, hit the petitioner's son and others. In the said accident, the petitioner's son died at the spot. Thereafter, the complaint has been lodged against the rider of the motor cycle bearing No.TN-10-AX-3769 in FIR No.322 of 2018, for an offense under Sections 279, 304A, 337, 338 of IPC on the file of the respondent. Thereafter, the respondent not yet

investigate the complaint. Therefore, the petitioner filed a complaint with the aforesaid prayer.

3. The learned Additional Public Prosecutor submitted that, on receipt of the complaint lodged by the petitioner, the respondent registered a case in Crime No.322 of 2018, under Sections 279, 304A, 337, 338 of IPC and it is still pending.

4. Heard both sides.

5. Considering the facts and circumstances, the respondent is directed to investigate the complaint in FIR.No.322 of 2018. In the meantime, the respondent is directed to furnish all the copies to the petitioner, within a period of four weeks from the date of receipt of copy of this order.

6. Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

smv

To

1.The Inspector of Police,
Traffic Investigation Wing,
(TIW-Adyar)
Adyar, Chennai-600 020.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Kumaran, Advocate SR.19482

RGN(CO)
CB(22/09/2020)

Cr1.O.P.No.32943 of 2019