

0IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2021

C O R A M

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.No.3058 of 2021

Azarudeen

.. Petitioner/Defacto
Complainant

Vs.

1.The Inspector of Police,
TIW, V-5, Thirumangalam Police,
Chennai.

.. Respondent/
Complainant

2. Rupavathi,
D/o.Nagalingam

3.Aravindan,
S/o.Allimuthu

.. Respondent/Accused

PRAYER: Criminal Original Petition is filed under Section 439 (2) of Cr.P.C., to cancel the bail granted to the Respondents 2 and 3 / Accused 1 & 2 in Crl.M.P.No.13180 of 2020 dated 14.12.2020 on the file of the learned Principal District Court, Chennai.

For Petitioner : Mr.A.Selvendran

For Respondent : Ms.P.Kritika Kamal, GA for R1
Mr.K.G.Raghunathan for R2

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to cancel the bail granted to the Respondents 2 and 3 / Accused 1 & 2 in Crl.M.P.No.13180 of 2020 dated 14.12.2020 on the file of the learned Principal District Court, Chennai.

2.The petitioner is the defacto complainant, who has lodged a complaint before the first respondent Police against respondents 2 and 3. The 1st respondent initially registered a case in Cr.No.195 of 2020 for the offence under Sections 279, 304(a) of IPC r/w.109 of IPC and subsequently altered to Section 304 Part II of IPC. The case of the prosecution is that on 08.12.2020, respondents 2 and 3 were said to have driven the Government car in a rash and negligent manner, without a valid licence and hit the defacto complainant's wife, who was 5 months pregnant and thereby she was succumbed to injuries.

3.The learned counsel for the petitioner/defacto complainant submitted that on 14.12.2020, respondents 2 and 3 were arrested and produced before the learned VI Metropolitan Magistrate Court, Egmore and remanded to judicial custody. On 14.12.2020, the accused were enlarged on bail by the Principal District Court, Chennai in CrI.M.P.No.13180 of 2020. The Court below, on failure to note that there were no "L" Board indication and both accused do not have valid driving licence and that the alleged vehicle involved in the said offence is a Government vehicle belongs to the Income-tax Department. Therefore, this petition has been filed to cancel the bail granted to the respondents 2 and 3.

4.Though the petitioner has filed a petition to cancel the bail granted to the respondents 2 and 3, a direction may be passed to the Law Enforcing Agency to complete the investigation within a reasonable time fixed by this Court.

5.Considering the facts and circumstances of the case, this Court directs the the first respondent Police to complete the investigation in Crime No.195 of 2020 within a period of three months from the date of receipt of a copy of this order.

6. In the result, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
TIW, V-5, Thirumangalam Police,
Chennai.

2.The Public Prosecutor,
High Court, Chennai.

CrI.O.P.No.3058 of 2021

SVI (CO)
GMY (23/06/2021)