



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11460 of 2021

Ganapathy

... Petitioner

.vs.

The State rep.by
The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kanchipuram.

... Respondent

Crime No.646 of 2018

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to furnish the copy of registration certificate, MV Report, Insurance Policy and Driving License in respect Suzuki Swift Car in respect of the offending vehicle No.TN-21-BF-2088 in relating to Crime No.646 of 2018 pending on the file of the respondent police to the petitioner forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.A.Damodaran
Government Advocate
(Crl.Side)

ORDER

This petition has been filed seeking to direct the respondent to furnish the copy of registration certificate, MV Report, Insurance Policy and Driving License in respect Suzuki Swift Car in respect of the offending vehicle No.TN-21-BF-2088 relating to Crime No.646 of 2018, pending on the file of the respondent police to the petitioner forthwith.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing on behalf of the respondent.

3. The learned Government Advocate (Crl. Side) submits that the investigation is still pending and in view of Section 160 of the Motor Vehicles Act, 1988, the petitioner is not entitled to obtain the documents as claimed by him.

4. Section 160 of the Motor Vehicles Act, 1988, which reads as follows :



WEB COPY

"160. Duty to furnish particulars of vehicle involved in accident.—A registering authority or the officer-in-charge of a police station shall, if so required by a person who alleges that he is entitled to claim compensation in respect of an accident arising out of the use of a motor vehicle, or if so required by an insurer against whom a claim has been made in respect of any motor vehicle, furnish to that person or to that insurer, as the case may be, on payment of the prescribed fee any information at the disposal of the said authority or the said police officer relating to the identification marks and other particulars of the vehicle and the name and address of the person who was using the vehicle at the time of the accident or was injured by it and the property, if any, damaged in such form and within such time as the Central Government may prescribe".

5. There is Specific Provision in Motor Vehicles Act, where by the petitioner can obtain certified copies of the documents required from the Insurer and the Police Department. In view of the same, no order to be passed in this petition. It is made clear that the insurer and police/investigation officer to provide the documents sought by any person as per Section 160 of the Motor Vehicles Act, 1988.

6. In view of the above, this criminal original petition is dismissed.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

KP
To

1. The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kanchipuram.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate SR.No.31582

CRL.O.P.No.11460 of 2021

PCH (CO)
GMY (02/08/2021)

<https://hcservices.ecourts.gov.in/hcservices/>