



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.29218 OF 2018

AND

CRL.M.P.NO.17115 OF 2018

T.R.G.Surender Nair

... Petitioner

.Vs.

1. The Commissioner of Police,
Greater Chennai City,
Chennai.

... 1st Respondent

2. The Assistant Commissioner of Police,
Chennai Traffic Investigation Wing-South,
Chennai.

... 2nd Respondent

3. The Inspector of Police,
Traffic Investigation Wing,
Pondy Bazaar Police Station,
Chennai.
(Crime No.359 of 2018)

... 3rd Respondent/Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.359 of 2018 from the file of the second respondent police to any other investigating officer and to do a proper and impartial investigation, under the supervision of the first respondent in respect of the accident that occurred on 16.10.2018 near Chetpet Signal, Chennai.

For Petitioner : Mr.M.Mohan
For M/s.Arun Anbumani

For Respondent : Mr.A.Gopinath
Government Advocate
(Crl. side)



ORDER

This petition has been filed to transfer the investigation in Crime No.359 of 2018 from the file of the second respondent police to any other investigating officer.

2. The learned counsel for the petitioner submitted that the petitioner is the husband of the victim. Initially, the respondent police registered a case under Section 304 A IPC and subsequently, the case was altered to Section 279, 304(ii) IPC read with Sections 134(a) and 134(b) of Motor Vehicles Act, 1988. Thereafter, the respondent police has not conducted any enquiry in a proper manner. Hence, the petitioner filed this petition to transfer the investigation to any other investigating officer.

3. The learned counsel for the Government Advocate (Crl. side) submitted that during pendency of this petition, after enquiry, the respondent police prepared a charge sheet and the same is yet to be filed. Hence, nothing survives for adjudication and the same may closed.

4. In view of the limited request made by the learned counsel for the petitioner, I am inclined to direct the respondent police to file charge sheet before the concerned jurisdictional Court within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Commissioner of Police,
Greater Chennai City,
Chennai.



2. The Assistant Commissioner of Police,
Chennai Traffic Investigation Wing-South,
Chennai.

3. The Inspector of Police,
Traffic Investigation Wing,
Pondy Bazaar Police Station,
Chennai.

4. The Public Prosecutor,
High Court, Madras.

CRL.O.P NO.29218 OF 2018 AND
CRL.M.P NO.17115 OF 2018

MG(CO)
PBS/29/10/2021