



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.10749 of 2021

S.Paulraj

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police (Traffic),
Tallakulam,
Madurai.

3.The Inspector of Police,
Traffic Investigation Wing - II,
Tallakulam,
Madurai District.
(Crime No.77/2021)

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the first respondent to transfer the investigation in Crime No.77/2021 on the file of the third respondent to the second respondent or to some other superior officer for speedy and lawful actions within a stipulated time.

For Petitioner : Mr.S.Vasanth Yuges

For Respondents : Mr.R.M.Anbunithi,

Additional Public Prosecutor

ORDER

This petition is filed seeking transfer of investigation in Crime No. 77/2021 from the file of the third respondent to the second respondent or to some other agency.

2.The grievance of the petitioner is that the petitioner is the defacto complainant in Crime No. 77 of 2021, on the file of the third respondent, which is registered for the offences punishable under Section 304A IPC on 14.03.2021. Even after lapse of four months, no investigation has been undertaken and the vehicle involved in the occurrence has not been recovered or seized. In this regard, the petitioner has given representation on 27.05.2021 to the third respondent herein. As there was no action on the part of the third respondent, this present petition came to be filed.

3.The learned Additional Public Prosecutor would submit that Mahindra Tourist Van bearing Registration No. TN 48 N 2248, has



been seized from the accused person. Motor Vehicle Inspection has also been undertaken properly. He seeks four months time to file the Final Report.

4.Since the main grievance of the petitioner has been redressed, there shall be a direction to the third respondent to complete the investigation and file Final Report within four months from the date of receipt of a copy of this order. At this stage, transfer of investigation may not or will not arise.

5.With such direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Assistant Commissioner of Police (Traffic),
Tallakulam, Madurai.
- 3.The Inspector of Police,
Traffic Investigation Wing - II,
Tallakulam, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RD(13.08.2021) 2P 5C