



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P. (MD)No.12916 of 2021

M.Kavitha

... Petitioner

Vs.

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

2.The Inspector of Police,
Thallakulam Police Station,
Madurai.
Cr. No. 205/2020

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for entire records connected with Cr.No.205 of 2020 dated 24.11.2020 on the file of the second respondent and direct the first respondent to transfer the investigation to some other investigating agency or to superior officer of the police and complete the investigation within a scheduled time as this Court may fix.

For Petitioners : Mr.V.Vijayarajan
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate(Crl.side)

O R D E R

This petition is filed seeking direction for transfer of investigation of Crime No.205 of 2020 dated 24.11.2020 from the file of the second respondent to some other officer or agency.

2. The case has been registered for the offences punishable under Sections 279, 304(A) IPC and Section 187 of the Motor Vehicles Act. It appears that it is hit and run case, in which two persons died on the spot and one among them is the petitioner's husband.

3. The learned counsel for the petitioner would submit that even after lapse of 8 months, the second respondent has not identified the accused as well as the vehicle involved in the accident. The learned counsel for the respondent would further submit that the petitioner is working as



servant maid for eking her livelihood and she is in pathetic condition.

4. The learned Government Advocate(Crl.side) would submit that so far 14 witnesses have been examined and no clue is available to identify the vehicle.

5. The learned counsel for the petitioner would submit that on one occasion, the second respondent has stated that vehicle has been identified and now the learned Government Advocate submits that it could not be identified.

6. However, considering the facts and circumstances of the case, the question of transfer of investigation may not arise since 14 witnesses have been examined so far and there is no clue for the second respondent since it is a hit and run accident.

7. There shall be a direction to the second respondent to conduct investigation and complete the same within a period of 5 months from the date of receipt of copy of this order. It is further directed that the Assistant Commissioner of Police, Madurai City shall monitor the investigation.

8. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 Police,
Madurai.

2.The Inspector of Police,
Thallakulam Police Station,
Madurai.

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



3.The Assistant Commisisoner of Police,
Madurai City Police,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(27.09.2021) 3P 5C