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Crl.O.P.No.31362 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31362 of 2022

Manimaran

... Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai Corporation,
EVK Sampath Road,
Vepery,
Chennai 600 007.

2.The Deputy Commissioner of Police (Traffic),
Traffic Investigation Wing (East Chennai),
Chennai District.

3.The Inspector of Police,
Adyar Traffic Investigation,
Adyar,
Chennai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the investigation from the third respondent police to any other investigation agency and conduct fresh enquiry in Crime No.390 of 2022 on the file of the third respondent police.

For Petitioner : Mr.G.Saravanabhavan

For Respondents : Mr.S.Santhosh,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to transfer the case in Crime No.390 of 2022 from the third respondent to any other investigating agency.

2. The learned counsel for the petitioner submitted that the petitioner's sons viz., Prasanth and Sathyamoorthi were hit by the Vels Tech University Bus bearing Registration No.TN 12 6482, while riding their two wheeler bearing Registration No.TN 07 CV 6422. The petitioner had not given any complaint about the accident. The respondent police obtained signature from the petitioner in a blank paper and they prepared the complaint as if the petitioner's sons had ridden the vehicle in a rash and negligent manner. It is not true and the petitioner had not given such complaint. Hence, the present petition has been filed to transfer the investigation.

3. The learned Government Advocate (crl.side) for the respondents submitted that on the basis of the complaint given by the petitioner, a case has been registered in Crime No.390 of 2022 for the offence under Section 279, 304(A) and 338 of IPC. He also produced the photographs taken at the scene of



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occurrence.

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4. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondents.

5. Perusal of the photographs produced by the learned Government Advocate (crl.side) clearly shows that there was a long scratch on the road which itself proves that the two wheeler after hitting the road, slided towards the bus and got struck beneath the bus. Therefore, this Court is of the view that the investigation is proceeding in the right direction and it is not necessary to transfer the case.

6. Accordingly, this Criminal Original Petition stands dismissed.

20.12.2022

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

shk

To

- 1.The Commissioner of Police,
Greater Chennai Corporation,
EVK Sampath Road,
Vepery,
Chennai 600 007.
- 2.The Deputy Commissioner of Police (Traffic),
Traffic Investigation Wing (East Chennai),
Chennai District.
- 3.The Inspector of Police,
Adyar Traffic Investigation,
Adyar,
Chennai District.
4. The Public prosecutor,
High Court of Madras.

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20.12.2022