



W.P.No.33132 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P. No. 33132 of 2022

Punitha

... Petitioner

Vs.

1. The State Rep. by,
The Superintendent of Police,
Vellore District,
Vellore.

2. The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.

3. The Inspector of Police,
Melpatti Police Station,
Vellore District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.07.2022 and consequently direct the 1st respondent police to transfer the investigation in Crime No.49 of 2022 pending on the file of the 3rd respondent police to the some other police station within his jurisdiction.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.Side)



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ORDER

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The Writ Petition has been filed seeking direction to the respondents to consider the petitioner's representation dated 18.07.2022 and consequently direct the 1st respondent police to transfer the investigation in Crime No.49 of 2022 pending on the file of the 3rd respondent police to the some other police station within his jurisdiction.

2.The learned counsel appearing for the petitioner submitted that in an accident involving the deceased Saravanan, who was riding two-wheeler bearing Reg.No.TN-23-AU-4308 and one Karthikeyan, who was riding his vehicle bearing Reg.No.TN-23-DY-0903, a case was registered against the deceased Saravanan for the offence under Sections 279, 337 of IPC, alleging that the deceased Saravanan had driven his two-wheeler in a rash and negligent manner and hit against the two-wheeler ridden by the Karthikeyan. Later, the said Saravanan succumbed injuries and died and therefore, the case was altered to the offence under Section 304 -A of IPC. The learned counsel for the petitioner further submitted that the accident had happened because of the two wheeler ridden by the Karthikeyan in a rash and negligent manner and not because of the deceased Saravanan. Since, the said



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Karthikeyan has money and muscle power, FIR has been registered against the deceased Saravanan. Therefore, this petition is filed for transfer of investigation.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the respondent police had conducted investigation and found that the deceased Saravanan was responsible for the the accident. Thereafter, final report was filed before the concerned Court stating that charge abetted in this case.

4. It is seen that, this petition has been filed only for transfer of investigation pending on the file of the 3rd respondent police to some other police station. Now, investigation is over and final report is also filed.

5. Accordingly, this Writ Petition is dismissed with liberty given to the petitioner to approach the concerned Court for appropriate remedy, challenging the final report filed in this case. No costs.

09.12.2022

Index :Yes/No
Internet:Yes/No
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G.CHANDRASEKHARAN, J.

Sma

To

1. The Superintendent of Police,
Vellore District,
Vellore.
2. The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.
3. The Inspector of Police,
Melpatti Police Station,
Vellore District.
4. The Public Prosecutor,
High Court of Madras.

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