



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.13315 of 2020

A.Ganesan

... Petitioner

Vs

1. The Superintendent of Police,
Dindigul District,

2. The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.1066 of 2020)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents for further investigation and to file a final report within stipulated time in connection with Crime No.1066 of 2020 on the file of the second respondent and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mrs.M.Viji

For Respondents : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to direct the second respondent for conducting further investigation in Crime No.1066 of 2020.

2.The petitioner's son was a handicapped person and while he was going on his motorcycle, he fell down in the speed braker and died due to head injuries. Immediately, he was taken to the hospital and the case was registered in Crime No.1066 of 2020, under Section 174 Cr.P.C on 25.07.2020.

3.The petitioner sent representation on 30.07.2020, alleging that his son was a physically challenged person and worked in a Spare Parts Shop, located at Usilampatti. While being so, on 25.07.2020 at about 02.20PM, while he was travelling to his shop, in his two wheeler viz., Scooty Pep, bearing registration No. TN 57 BX



7552, at that time one Maruti vehicle bearing registration No. TN 10 F 6989, belonged to one Jebam Trust, was driven by its driver, in a rash and negligent manner and hit behind the two wheeler. Due to sudden hit, his son fell down and died. However, the second respondent did not enquire the said Ambulance's driver and simply closed the FIR as Action Dropped, for the reason that only due to his own negligence, he fell down and died. There is no record to show that the second respondent enquired the said ambulance's driver and simply closed the FIR.

4.In view of the above, the closure report filed by the second respondent in Cr.No.1066 of 2020, is set aside. The second respondent is directed to enquire the driver of the ambulance bearing registration No.TN 10E 6989, belonged to Jebam Trust and complete the investigation, within a period of eight weeks, from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar

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 Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
Batlagundu Police Station, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
Crl.O.P. (MD)No.13315 of 2020
25.02.2022

PNM

MS/09.03.2022/2P.4C