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Crl.O.P.No.7380 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.7380 of 2023

R.Janaki

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Coimbatore District.

2.The Inspector of Police,
TIW-East Police Station,
Coimbatore City.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer of investigation in Crime No.580 of 2022 on the file of the 2nd respondent Police to some other investigating agency, preferably, the District Crime Branch at Coimbatore or the Inspector, CBCID/Crime Investigation Department at Coimbatore or any other agency as this Court deems fit and proper and for consequential orders.

For Petitioner : Mr.Deepanuday

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to transfer of investigation in Crime No.580 of 2022 on the file of the 2nd respondent Police to some other investigating agency, preferably, the District Crime Branch at Coimbatore or the Inspector, CBCID/Crime Investigation Department at Coimbatore or any other agency as this Court deems fit and proper and for consequential orders.

2.The learned counsel for the petitioner submitted that petitioner's husband was riding a two-wheeler bearing No.TAS 3854 at about 4.50 P.M. on 01.12.2022. The readymix lorry bearing No.TN37EZ-9570 which was going in front of him suddenly stopped resulting in the accident. However, the First Information Report was registered as if petitioner's husband had hit against a stationary lorry. Therefore, this petition is filed for transfer of investigation.

3.In response, the learned Government Advocate (Criminal side) submitted that the investigation in this case is completed. The video footage of the accident shows that the lorry bearing No.TN37EZ-9570 was parked on



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the left side of the road. It was the petitioner's husband, who had ridden the two-wheeler without seeing the parking of the lorry and hit against the lorry resulting in accident and suffering injuries leading to his death. He further submitted that final report would be filed in due course before the competent jurisdictional Magistrate Court.

4.In the light of the submission of learned Government Advocate (Criminal side), this Court is of the view that there is no need to transfer the investigation in Cr.No.580 of 2022 pending on the file of 2nd respondent to some other investigating agency.

5.Accordingly, this Criminal Original Petition is dismissed.

10.04.2023

Internet:Yes
Index:Yes/No
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To:
1.The Commissioner of Police,
Commissioner Office,
Coimbatore District.

2.The Inspector of Police,



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TIW-East Police Station,
Coimbatore City.

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3.The Public Prosecutor
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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