



Crl.O.P.No.15539 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15539 of 2023

P.Selvaraj

.. Petitioner

Versus

1. The Superintendent of Police,
Office of Superintendent of Police,
Thirupur District.

2. The Inspector of Police,
Uthukuli Police Station,
Thiruppur District,
Crime No.99 of 2023.

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.99 of 2023 from the file of the 2nd respondent to some other independent investigation agency or officer with the direction and supervision of 1st respondent for conducting independent and impartial investigation in Crime No.99 of 2023 on the file of 2nd respondent.

For Petitioner : Mr.K.Sudhakar

**For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor,**



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ORDER

Pursuant to the earlier order passed by this Court on 12.07.2023, a status report has been filed by the second respondent. The relevant portions in the status report are extracted hereunder:-

"4. It is submitted that during the course of investigation, I went to the scene of occurrence, drew rough sketch and prepared observation mahazar in the presence of witnesses and also examined the following witnesses and recorde their statements:

(1) Tr. Selvaraj-Defacto complainant / Petitioner herein

(2) Tr. Jeevadurai - Eye Witness

(3) Tr. Rajendran - Eye Witness

(4) Tr. Ramesh - Hearsay Witness

(5) Tr. Vengatachalam - Hearsay Witness

(6) Tr. Shanmugasundaram & (7) Tr. Viswanathan - Observation mahazar and rough sketch Witnesses

(8) Tr. Manoj Kumar - Hearsay Witnesses

(9) Tr. Chinnasamy - Hearsay

(10) Tmt.Anitha - Hearsay Witness

(11) Tmt.Jarinshakira - Hearsay Witness

All of the corroborated the same version of the complaint.

5. I submit that during the course of investigation on 29.03.2023, I have arrested the accused and released him on Station bail.

6. I submit that during the course of investigation, I have produced both the vehicle for inspection before the Motor Vehicle Inspector and obtained the report.



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7. I submit that during the course of investigation I have conducted inquest on the deceased body in the presence of Panchayatars and sent the body of the deceased to Govt. Hospital, Tiruppur for post Mortem. after completion of Post Mortem the deceased body was handed over to the Petitioner / defacto complainant.

8. I submit that on 29.03.2023, I have received Post Mortem Certificate form DR. Praveen Kumar, M.B.B.S. Government Medical College, Chennai, who conducted Post Mortem, which reveals that the cause of death due to effects of head injuries.

9. I submit that during the course of investigation, I went to the scene of occurrence and examined witnessed and recorded their statement, in which he stated that he came to know that on the day of occurrence with rash and negligent driving one vehicle dashed on the two wheeler of the deceased and caused his death.

10. I submit that on 20.07.2023, I have issued 41A summon to owner of School and appeared before me for enquiry and he appeared for enquiry.

11. I submit that based on the witnesses statement and material evidence I have altered the offences under section from 279, 304(A) @ 279, 304(A) IPC, 56 r/w 192 (1) MV Act and 62 Central Motor Vehicle Rules, 66(1) r/w 192 (A) MV Act and complete the investigation and filed the charge sheet before the learned Judicial Magistrate Court, Uthukuli and Taken on file C.C.No.126/2023 on 31.07.2023."

2. Recording the above, this Criminal Original Petition is disposed

off.

<https://www.mhc.tn.gov.in/judis>



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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs



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N.ANAND VENKATESH, J.

grs

To

1. The Superintendent of Police,
Office of Superintendent of Police,
Thirupur District.
2. The Inspector of Police,
Uthukuli Police Station,
Thiruppur District.
3. The Public Prosecutor,
High Court of Madras.

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