



CrI.O.P.(MD)No.439 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.01.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD)No.439 of 2024

Mookammal

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The State represented by
The Inspector of Police,
Pattiveeranpatti Police Station,
Pattiveeranpatti,
Dindigul District.
Crime No.255 of 2023

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first respondent to change the investigation of the petitioner's case in Crime No.255 of 2023 from the file of the second respondent to any other agency or officer based on petitioner representation dated 02.01.2024.

For Petitioner : Mr.P.Manokaran

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition had been filed seeking a direction against the first Respondent to transfer the investigation in Crime No.255 of 2023 from the file of the second Respondent to any other agency.

2. The learned Counsel appearing for the Petitioner submitted that the Petitioner's husband was working in Anjineya Fire company near Vathalakundu. While he was returning from job, he was riding a bicycle before the bypass road near Devi Company, at 06.30 pm. While crossing the road, one vehicle hit him and caused accident on her husband and caused bleeding injured on the head, right hand, left leg and whole body. He was admitted in Vathalakundu Government Hospital for treatment and thereafter, died on 7.25 pm on the same day.

3. A complaint was lodged by the Petitioner with the second Respondent and the same was registered as F.I.R in Crime No.255 of 2023 for the offence punishable under Sections 279, 304(A) I.P.C. After the funeral of the husband, the Petitioner had approached the second Respondent regarding the whereabouts of the individual or a person who caused the accident. From the enquiry by the Petitioner, she found that there was no progress in the investigation and also there was no proper



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response from the second Respondent. Therefore, the Petitioner was forced to file this petition seeking withdrawal of the investigation from the file of the second Respondent to any other agency.

4. The learned Additional Public Prosecutor, on instructions from the second Respondent would submit that the accident was caused on 15.12.2023 by 06.30 pm. Promptly, an F.I.R was registered and from the CCTV video footage, they had traced out two two wheelers. Since the CCTV footage are not clear, they are unable to zeroing on the correct vehicle numbers. On instructions, from the second Respondent, he seeks time for further investigation.

5.. The first Respondent/Superintendent of Police, Dindigul District is directed to supervise the investigation so that the justice is rendered to the affected family to find out the correct vehicle which is involved in the accident.

6. With the above said direction, this Criminal Original Petition is disposed of.

11.01.2024

<https://www.mhc.tn.gov.in/> Index : Yes/No



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Internet: Yes/No
jbr

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To

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



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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11.01.2024