

14 August 2014

Attn: S. Robinson
LSC 24185
Highway Patrol
Casey Scahwp

Dear Sir/Madam

Re: Notice of Traffic Infringement

Date of infringement: 30 July 2014

I refer to the above infringement notice, a copy of which is attached.

I enclose two executed Statutory Declarations for your sympathetic attention in defence of the traffic infringement which occurred on 30 July 2014.

I wish to advise that the speeding was done in response to an imminent threat and anxiety that my passenger and his family were facing at the time.

The vehicle responsible for causing the anxiety was registered as XMS690. I attach photos which show the vehicle responsible and it's parking location on my friend's property. Please also find enclosed the photographs proving that the indicated speed limit for the road in question is 80kph and not the 70kph as indicated on the infringement notice.

I am heavily dependent on my driving privileges to get to and from work and a suspension for 12 months would greatly affect my earning capacity.

For these reasons I would be thankful for your understanding in the matter and allow this infringement to be withdrawn.

Yours faithfully,

Murali Rajanna
(0402-126-582)

STATUTORY DECLARATION

I, **Murali Rajanna of 3 Beagle Street Cranbourne, 3977** in the State of Victoria do solemnly and sincerely declare that:

1. I am the person named in the Infringement Notice dated 30 July 2014.
2. My vehicle registration is NTF 765.
3. I was at all material times of the offence the driver of the vehicle.
4. On 30 July 2014, I was driving along the Berwick and Cranbourne Road in Cranbourne with a passenger.
5. The passenger was my close friend Siva Kumar Reddy (Siva).
6. I inadvertently drove the vehicle over the limit as Siva and I were rushing to the Cranbourne Police Station to lodge a report in relation to a suspicious vehicle that was parked on his property and because Siva's wife was in fear and distressed.
7. My reason for being over the scheduled limit is as follows:
 - (a) Siva has been diagnosed with a medical condition that inhibits his ability to drive at will. As a result of this illness he suffers from Chronic back pain, shoulder pain, leg pain and headaches. His medication for this condition makes him drowsy and subject to fainting spells and he is therefore unable to drive for extended periods.
 - (b) To aid and provide assistance, I drive him around when he is unable for the reasons mentioned below.

History:

- (c) On a number of occasions an unknown vehicle owner has created a nuisance to Siva by parking his or her vehicle on his property.
- (d) Siva's wife, who is a new driver, was most affected by the vehicle as its parking obstructs her from reversing from the property without an anxiety of causing damage to it.
- (e) The vehicle had been parked in this way on the following dates:
 - (i) Early July 2014
 - (ii) 13 July 2014
 - (iii) 30 July 2014
- (f) The vehicle's appearance and the contents within the car have caused Siva to be vigilant. He has on numerous occasions had suspicions about it.
- (g) Siva told me that he had been vigilant regarding the recent crimes in the vicinity of his house and on occasions, tampering with his mailbox being subjected to graffiti and this



further added to the fear that something unusual could occur and the vehicle may be connected to it.

- (h) Siva told me that he has on numerous occasions attempted to find out who the unknown vehicle belongs to but was unable to do so.
- (i) Siva told me that he has also consulted neighbours in an attempt to locate the owner of the unknown vehicle or whether it belonged to any one of them. This too was unsuccessful.
- (j) Siva also told me that he attempted to seek assistance from the Police over the telephone but this too was unsuccessful.
- (k) Siva told me that on 14 July 2014, he made a complaint to the Council and was issued with a reference number: 66205
- (l) On 30 July 2014, Siva told me that he made a second complaint to the Council and was told that they had added it to his prior report.
- (m) Having tolerated the uncertainty of the vehicle and its owner, Siva told me that he decided to report the matter to the police when on 30 July 2014; the car was parked similarly obstructing the convenience of that pathway.

The Infringement

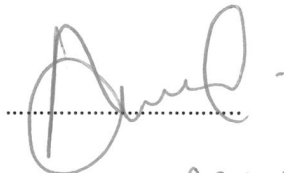
- (n) On 30 July 2014 at approximately 9:25 pm, whilst speaking with Police at the Cranbourne police Station, Siva received a telephone call from his wife confirming that the owner of the car was agitated and demanding her car be removed.
- (o) She confirmed that the owner of the vehicle was abusive and rude for his inability to remove his vehicle. His manner and tone raised anxiety and she was unable to move her own vehicle, felt helpless and the situation may escalate, she urged us to return as quickly as possible, as it is one of us who will need to move the vehicle.
- (p) In the tension, she expressed she had misplaced and could not find the keys and that it needed to be moved with the spare keys which were at the time, with Siva.
- (q) She then called agitatedly that the police had arrived at the scene and probably the owner of the car must have phoned for them.
- (r) The Police themselves were not understanding of the situation and were hassling her to find the keys to move the car or for us to be down there soon as they had a lot of other matters to attend to.



- (s) She was clearly distressed and this in turn affected and tensed Siva. I did not want anything to happen to him out of his tension and decided to get to his house quickly, but did not know that I was speeding beyond the limits.
- (t) It was on the way to the residence that I over sped and surpassed the speed limit because of the tensions above.
- (u) I was speeding due to being in fear for Siva's health and his family's safety.
- (v) The Speed limit for the road in question is not 70 kph but 80Kph. I have annexed some photographs of the location taken later by me.
- (w) I mentioned the circumstances for the speeding but the officer said the excess was much more than the regulated limit and therefore he had to follow the process.
- (x) I request that in the circumstance, consideration to be given to withdraw the infringement notice

I solemnly and sincerely declare that this declaration is signed in my name and handwriting. I acknowledge that this declaration is true and correct in every particular.

Declared and Affirmed)
by **Murali Rajanna**)
this 14 day of August)
2014 at **DANDENONG**) Murali R



Before me **ARVIND THAMPY**

AN AUSTRALIAN LEGAL PRACTITIONER .
WITHIN THE MEANING OF THE LEGAL
PROFESSION ACT 2004 .

STATUTORY DECLARATION

I, **Siva Kumar Reddy** of **3 Tarwin Place Cranbourne East, 3977** in the State of Victoria do solemnly and sincerely declare that:

1. I have read the contents of Murali Rajanna's Statutory Declaration dated 14 August 2014 and state that I agree with same.
2. On 30 July 2014 I was the passenger in Mr. Murali Rajanna's (Murali) vehicle.
3. I am currently on prescription medication for my anxiety, chronic back pain, shoulder pain, leg pain and headaches. Further, my medication causes me to experience drowsiness and fainting spells hence I am unable to drive for extended periods.
4. I confirm that at approximately 9.25pm on 30 July 2014, Murali and I attended the Cranbourne police station and attempted to make a complaint.
5. Whilst at the station, I received a phone call from my wife informing me that Police were attending my residence and were in the company of the owner of the unknown vehicle.
6. She informed me that the owner was becoming increasingly rude and abusive as she was unable to move our second vehicle.
7. I told her that we would return and she urged us to do so at the earliest.
8. I urged Murali to drive and get us there as soon as possible as I was in fear for my family's safety, and caused concern to him when I mentioned my sickness and that through the stress, I may faint.
9. Murali became anxious to get me home early whereby the infringements occurred.
10. I request consideration to be given to withdraw same in the circumstances.

I solemnly and sincerely declare that this declaration is signed in my name and handwriting. I acknowledge that this declaration is true and correct in every particular.

Declared and Affirmed)

by **Siva Kumar Reddy**)

this 14 day of August)

2014 at **DANDENONG**

) G. Siva Kumar

[Signature]

Before me **ARVIND THAMPY**

**AN AUSTRALIAN LEGAL PRACTITIONER -
WITHIN THE MEANING OF THE LEGAL
PROFESSION ACT 2004**



Enforcement Agency - Victoria Police

INFRINGEMENT NOTICE

VICTORIA POLICE

SERVICE TYPE

☒ Personal
☐ Post

51256847 5

Enforcement Agency
Identifying Reference

Date of Infringement Notice

30/7/14

The Infringement Penalty must
be paid by the Specified Due
Date of 10/9/14

Family Name of person served with infringement notice

RAJANNA

Given Names

MUKAZI

Address

3 BEAGLE ST
CRANBOURNE

Date of Birth

26/05/80

Postcode

3977

☒ Driver Licence Number ☐ Permit Number (tick applicable)

State

VIC

Type

Car

Expiry Date

16/07/16

Motor Vehicle / Trailer Registration No.

State

VIC

Type

MAGNA SEDAN

Expiry Date

22/04/15

CODE

BRIEF DESCRIPTION OF INFRINGEMENT OFFENCE ALLEGED

INFRINGEMENT
PENALTY

DEMERIT
POINTS

1433

Exceed speed limit in a * [vehicle other than a heavy vehicle] / * [heavy vehicle]
by ** [less than 10 km/h] / ** [km/h or more but less than km/h]
/ *** [45 km/h or more] / **** [in a 110 km/h zone]

\$738

8

/ ** / *** / **** Strike out that which is not applicable

Approx. No. of Infringement offence alleged

20

Approx. Time of Offence

2125

Date of Offence

30/07/2014

Street / Premises Name where offence committed (Approximate)

BERWICK CRANBOURNE RD

Place / Premises where offence committed (Approximate)

CRANBOURNE

Postcode

3977

Information about the offence

Radio 12

Detected Speed

118 kph

Alleged Speed

116 kph

Permitted Speed

70 kph

☒ (If box is checked) THIS NOTICE RELATES TO AN EXCESSIVE SPEED INFRINGEMENT AND IT WILL TAKE EFFECT 28 DAYS
AFTER THE DATE OF THIS NOTICE AS A CONVICTION AND -

If you hold an Australian Driver Licence or permit that you hold will be ☐ Cancelled ☒ Suspended. You are disqualified from driving in Victoria for 12 months

If you hold an Interstate or Overseas licence you are Disqualified from driving in Victoria for months

Signature of Issuing Officer

[Signature]

Name of Issuing Officer

S. ROBINSON

Rank

Registered Number

Station and Code

L/S #C 24185
HIGHWAY PATROL
CASEY SCAHWP

If you have been requested to produce your licence or permit at a police station you MUST take it to the Police Station within 7 days from being requested to produce your licence or permit. If you don't you may be charged.

Signature

MANNER IN WHICH INFRINGEMENT PENALTY MAY BE PAID*

Notes: Failure to pay the infringement penalty by the SPECIFIED DUE DATE may result in further enforcement action being taken and incurring of further costs. This notice must accompany payment as unidentified payments cannot be processed.

1. PAY BY PHONE OR INTERNET (refer over page)
2. PAY BY MAIL (refer over page)
3. PAY IN PERSON (refer over page)

* The person served with this infringement notice may be eligible for a payment plan under section 46 of the Infringements Act 2006, unless that person is a body corporate