

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP Nos.11293, 14653 & 14654 of 2015

Crl.OP.No.11293 of 2015

1.S.N.Susmitha
2.Lulu Jose
3.N.Rajesh Rajan

...Petitioners

Vs

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
District Crime Branch,
Thiruvallur, Thiruvallur District.
3. The Sub-Inspector of Police,
D-3, Kanakamma Chattiram Police,
Tirutani, Thiruvallur District.
4. DD Medical College and DD Hospital,
Rep.by its Chairman,
No.61, DD Nagar Bus Stop,
Kunnavalam Post,
Thirucalur Taluk and District,
Chennai - 631 210.

...Respondents

Crl.OP.No.14653 of 2015

M.Pradeep Kumar

...Petitioner

Vs

1. State Represented by
The Superintendent of Police,
Thiruvallur,
Thiruvallur District.

2. The Inspector of Police,
District Crime Branch,
Thiruvallur, Thiruvallur District.

3. DD Medical College and DD Hospital,
Rep.by its Chairman,
No.61, DD Nagar Bus Stop,
Pin - 631 210.
Thiruvallur Taluk and District.

...Respondents

Crl.OP.No.14654 of 2015

N.Nandhini

...Petitioner

Vs

1. State Represented by
The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
District Crime Branch,
Thiruvallur, Thiruvallur District.
3. DD Medical College and DD Hospital,
Rep.by its Chairman,
No.61, DD Nagar Bus Stop,
Pin - 631 210.
Thiruvallur Taluk and District.

...Respondents

Prayer in Crl.OP.11293 of 2015:-

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Respondents 1 to 3 to hand over the original certificates only on verifying the students identity alone of the year 2011-12 batch of students of the 4th Respondent DD Medical College and Hospital pending trial of the criminal cases against Mr.T.D.Naidu and other officials of the 4th Respondent.

Prayer in Crl.OP.14653 of 2015:-

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Respondents 1 and 2 to return the original testimonials of the petitioner viz., (i) 10th Mark Sheet, (ii) +2 Mark Sheet, (iii) Transfer Certificate issued by the School Authorities, (iv) Community Certificate and (v) Birth Certificate which were retained with the 3rd Respondent Institution at the time of his admission in M.B.B.S Course during the year 2011-2012, within a specified period to be fixed by this Hon'ble Court.

Prayer in Crl.OP.14654 of 2015:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Respondents 1 and 2 to return the original testimonials of the petitioner viz., (i) 10th Mark Sheet, (ii) +2 Mark Sheet, (iii) Transfer Certificate issued by the School Authorities, (iv) Community Certificate and (v) Birth Certificate which were returned with the 3rd Respondent Institution at the time of her admission in M.B.B.S Course during the year 2011-2012, within a specified period to be fixed by this Hon'ble Court.

For Petitioners in
Crl.OP.11293 of 2015 : Mr.S.Vijayaraghavan

For petitioners in
Crl.OPs.14653 &
14654 of 2015 : Mr.V.Manoharan

For Respondents : Mr.C.Emalias
(Govt) Addl. Public Prosecutor

COMMON ORDER

In similar circumstances, this Court had passed an order in Crl.O.P.No.8602 of 2015 directing the respondent police to return the certificates to the petitioners.

2. Today, the learned Additional Public Prosecutor, on instructions of the respondent police, submits that the certificates of the petitioners in all the Crl.O.Ps., are with the police.

3. Under these circumstances, the petitioners are directed to approach the respondent police and collect their certificates from them. The respondent police may require the certificates for further investigation or for marking them in the trial Court. Therefore, the respondent police are directed to take photocopies of all the certificates and have the photocopies attested by a Gazetted officer and also by the petitioners. Thereafter, the original certificates shall be returned to the petitioners. The attested photocopies of the certificates may be marked in the trial Court as evidence.

4. In view of the peculiar facts and circumstances, since the petitioners are students who will require their certificates to pursue their future career and also taking note of the fact that the original certificates should not be retained in the Court, as that will cause undue prejudice to them, this petition is allowed with a direction to the respondent police to return the original certificates to the petitioners in all the Crl.O.Ps., after taking photocopies of the original certificates and also getting attestation in the photocopies from a Gazetted officer and from

the petitioners herein in all the CrI.O.Ps.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
District Crime Branch,
Thiruvallur, Thiruvallur District.
3. The Sub-Inspector of Police,
D-3, Kanakamma Chattiram Police,
Tirutana, Thiruvallur District.
4. The Chairman,
DD Medical College and DD Hospital,
No.61, DD Nagar Bus Stop,
Pin - 631 210.
Thiruvallur Taluk and District.
5. The Public Prosecutor,
High Court, Madras.

2 CCs to Mr.S.Vijayaraghavan, Advocate SR.No. 30816

CrI.OP Nos.11293, 14653
& 14654 of 2015

CA (CO)
PSI (24.06.2015)

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