

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.8472 of 2015

1. B.Dharani
2. R.Srilakshmi

.. Petitioners

Vs

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

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent authorities to return the original certificates of the petitioners viz. 1st Petitioner: (1) 10th Mark Sheet (SSLC), (2) Plus Two Mark Sheet (3) Transfer Certificate issued by the School authorities (4) Community Certificate (5) Birth Certificate (6) Migration Certificate - 2nd petitioner (1) 10th Mark Sheet (SSLC), (2) Plus Two Mark Sheet (3) Transfer Certificate issued by the School authorities (4) Community Certificate (5) Birth Certificate.

For Petitioners : Mr.S.Thanka Sivan

For Respondents : Mr.V.Shanmugavelayutham  
Public Prosecutor Assisted by  
Mr.C.Emalias, Additional Public  
Prosecutor for R1 & R2

## ORDER

Heard Mr.S.Thanka Sivan, learned counsel for the petitioners and Mr.V.Shanmugavelayutham, learned Public Prosecutor for the respondents 1 and 2.

2. The prayer in the petition is for a direction to the respondent to return the original Certificates of the petitioners that has been catalogued in paragraph 4 of the petition, which is as follows:

First Petitioner:

- (1) 10th Mark Sheet (SSLC),
- (2) Plus Two Mark Sheet
- (3) Transfer Certificate issued by the School authorities
- (4) Community Certificate
- (5) Birth Certificate
- (6) Migration Certificate

Second Petitioner

- (1) 10th Mark Sheet (SSLC),
- (2) Plus Two Mark Sheet
- (3) Transfer Certificate issued by the School authorities
- (4) Community Certificate
- (5) Birth Certificate

3. The learned Public Prosecutor submits that the respondent-police is ready to hand over the Certificates belong to the first petitioner as they are available with them. As regards the second petitioner is concerned, item Nos.1 to 4 are available with the respondent police and they are ready to return the same to her and insofar as the 5th item is concerned, namely, Birth Certificate, it is not available with the respondent police.

4. The respondent-Police is directed to return Item Nos.1 to 6 to the first petitioner and Item Nos.1 to 4 to the second petitioner, within one week from the date of receipt of a copy of this order.

5. It is seen that these documents may be required for the respondent-Police for marking the same during the course of trial. Therefore, the respondent-Police is permitted to take photocopies of the same and attest it by the Gazetted Officer in the Police Department and return the original Certificates to the petitioners. The Certified copies so taken can be used in evidence during trial. The petitioners shall also attest the photocopy of the Certificates in the presence of the Gazetted Officer.

6. The Criminal Original Petition is disposed of with the above direction.

Sd/-  
Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

ajr

To

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

1 cc to Mr.S. Thangasivam, Advocate, Sr. 18965

Crl.OP No.8472 of 2015

KSJ (CO)  
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