

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE T.RAJANI

Writ Petition No.20465 of 2017

ORDER: (Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan)

Heard Sri V.Roopesh Kumar Reddy, learned counsel for the petitioner and Sri S.Sri Ram, learned Standing Counsel for the APHC and, with their consent, the writ petition is disposed of at the stage of admission. The relief sought for in this writ petition is to declare the proceedings of the Registrar (Protocol) of the High Court dated 25.04.2017 rejecting the petitioner's request to furnish CCTV footage of 10.03.2017 and 12.04.2017, as illegal and arbitrary.

In this writ petition, the petitioner claims that two false cases were registered against him in Crime No.67 of 2017 dated 23.03.2017 for offences punishable under Sections 354-B, 323, 290 read with Section 34 IPC and Sections 3(1)(r)(s) and 2(va) of SC&ST (Prevention of Atrocities) Act, and in Crime No.82 of 2017 for offences punishable under Sections 143, 147, 148, 307 read with Sections 149 and 109 of IPC; the petitioner and his family members were shown as accused; the allegations in the complaints are that the offences occurred at 9:00 am on 10.03.2017, and at around 6:00 pm on 12.04.2017, respectively at Buchireddypalem, Nellore District; however, on the alleged dates of incidents, the petitioner was present in the High Court; his presence was recorded in the CCTV footage of the High Court; and the CCTV footage is required for him to prove his innocence.

When it was pointed out to the learned counsel for the petitioner that furnishing CCTV footage, for the mere asking, may adversely effect the security of the High Court itself; and, ordinarily, the CCTV footage would be furnished only when the Investigating Agency seeks it, learned counsel would submit that, in the present case, the petitioner apprehends that the CCTV footage, furnished to the Investigating Agency by the High Court, may be tampered by them.

While the petitioner's apprehension may not be justified, his interests would be adequately safeguarded, if the 2nd respondent is directed to preserve the CCTV footage retaining a copy thereof. If a request is made by a competent Court later, for the CCTV footage to be furnished, the said request can be examined at that stage.

The Writ Petition is disposed of directing the 2nd respondent to make a copy of the CCTV footage of 10.03.2017 and 12.04.2017, and preserve the same. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(T.RAJANI, J)

30th June, 2017
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Date: 30.06.2017

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