

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.7082 of 2019

Yasar Arafath

... Petitioner

Vs

- 1.The Director General of Police,
O/o. The Director General of Police,
No.1, Dr.Radhakrishnan Road,
Mylapore, Chennai-600 004.
- 2.The Commissioner of Police,
O/o. The Commissioner of Police,
132, Commissioner Office Complex,
EVK Sampath Road,
Veperi, Chennai-600 007.
3. The Deputy Commissioner of Police,
O/o. The Deputy Commissioner of Police,
R1, Mambalam Police Station 1st Floor,
Medley Road, T.Nagar, Chennai-600 017.
- 4.The Inspector of Police,
R1, Mambalam Police Station,
T.Nagar, Chennai-600 017.
(Crime No.58 of 2019)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the 3rd respondent to monitor the investigation in Crime No.58 of 2018 dated 23.01.2019 on the file of the 4th respondent by recovering the video footage from the place of occurrence.

For Petitioner : M/s.S.M.Ajinnah

For Respondents: Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction the 3rd respondent to monitor the investigation in Crime No.58 of 2018 dated 23.01.2019 on the file of the 4th

respondent by recovering the video footage from the place of occurrence.

2. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) for the respondents.

3. It is seen from the status report filed by the 4th respondent that he examined Dr.Kugan, M.D., Asst. Professor of Institute of Forensic Medicine, Govt. Rajiv Gandhi Government Hospital, Chennai and obtained PostMortem Certificate, and the same would reveal that the stomach of the deceased contained 160 ml of partially digested food particles with strong irritant smell of ethanol. Further, it is also seen from the report that the death caused due to effects of blunt injury of head. Therefore, on consumption of alcohol the deceased fell down from the third floor and died.

4. Further, it is also seen that CCTV footages from the place of occurrence have also been seized and found that the place of occurrence was not covered by the CCTV camera on the day of occurrence. Therefore, this Court cannot issue any direction to the respondent police. However, considering the above facts and circumstances of the case, the fourth respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order.

5. with the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

mpa

To

1.The Director General of Police,
O/o. The Director General of Police,
No.1, Dr.Radhakrishnan Road,
Mylapore, Chennai-600 004.

2. The Commissioner of Police,
O/o. The Commissioner of Police,
132, Commissioner Office Complex,
EVK Sampath Road,
Veperi, Chennai-600 007.
3. The Deputy Commissioner of Police,
O/o. The Deputy Commissioner of Police,
R1, Mambalam Police Station 1st Floor,
Medley Road, T.Nagar, Chennai-600 017.
4. The Inspector of Police,
R1, Mambalam Police Station,
T.Nagar, Chennai-600 017.
5. The Public Prosecutor,
High Court of Madras.

CRL.O.P.No. 7082 of 2019

GJ(CO)
GMY(08/05/2019)



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