



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Cr1.O.P. [MD] No. 3534 of 2019

Senthurkani

: Petitioner

Vs.

1. The State of Tamil Nadu rep. through its
The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent police to forthwith produce the dying declaration along with CD of the deceased Velkani (victim) as per the petitioner's complaint dated 04.12.2018 within the time stipulated by this Court.

For Petitioners : Mr. P. M. Vishnuvarthanan

For Respondents : Mr. V. Neelakandan

Additional Public Prosecutor

ORDER

The petitioner seeks to produce the dying declaration obtained from the petitioner's daughter along with CD taken by the second respondent / Investigating Agency.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. The learned Additional Public Prosecutor submitted the materials collected by the Investigating Agency will be produced along with the final report before the learned Magistrate. He further submitted that the dying declaration is the Court document, which will be only with the Court and the second respondent may not be in possession of the same. He added that no Videograph was taken.

4. In view of the above, the petitioner may now move the trial Court and apply for copy of the Dying declaration of his daughter, if he is so entitled under law and whom so approached the learned Magistrate is directed to dispose the same as expeditiously as



possible.

5. With the above direction, this criminal original petition is disposed of.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-52485[F] dated 08/03/2019)

TA

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