



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22/07/2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN
Crl.O.P. (MD)No.4336 of 2021 and
Crl.M.P(MD) No.2441 of 2021

M.Sathish Kumar

... Petitioner/Accused No.11

Vs.

1.The Inspector of Police,
Sellur Police Station,
Madurai City,
(Cr.No.1032 of 2018)

...1st Respondent/Complainant

2.The Director,
Officer of the Director Forensic Sciences Department,
Kamarrajar Salai, Mylapore,
Chennai - 600 004.

...2nd Respondent/ Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to complete the inspection of the DVR (Digital Video Records) by examining the same placed before them along with the questions to be answered by them stated in Crl.M.P.No.946 of 2019 forwarded to them by Advocate Commissioner one Thiru.N.Annadurai at the earliest within a time frame limit to enable the petitioner to get a copy of the expert opinion along with the answers for all the questions raised by him in Crl.M.P.No.946/2019 to place it before the trial Court to prove his case.

For Petitioner	: Mr.R.Babu Jaganath
For R-1 and R-2	: Mr.R.M.Anbunidhi
	Additional Public Prosecutor

O R D E R

This petition is filed seeking for a direction to the second respondent to complete the inspection of the DVR (Digital Video Recorder) in Crl.M.P.No.946 of 2019.

2. The case of the petitioner is that he is the 11th accused in Crime No.1302 of 2018, on the file of the Sellur Police Station, in connection with, the petitioner was taken custody by the respondent police for enquiry, which according to the petitioner is illegal detention. Subsequently, the petitioner has filed a petition in Crl.O.P(MD) No. 19344 of 2018, seeking a direction to the



Commissioner of Police, Madurai to take action to preserve the CCTV footages recorded in the Sellur Police Station from 15.08.2018 to 21.08.2018. By order dated 12.11.2018, this Court directed the concerned officer to recover the Digital Videou Recorder (DVR) and hand over to the learned Judicial Magistrate No.III, Madurai. Further direction was also issued to the effect that the petitioner shall file proper petition before the concerned Magistrate for sending DVR for Forensic examination. In pursuant to the aforesaid order, the petitioner filed an application in Crl.M.P.No.946 of 2019 before the Judicial Magistrate No.II, Madurai and the same was allowed and as per procedure, the Digital Video Recorder was sent to the second respondent herein for examination. The grievance of the petitioner is that the second respondent has not completed the examination so far. Hence, this petition.

3.Considering the limited request made by the learned counsel for the petitioner, there shall be a direction to the second respondent to expedite the examination of Digital Video Recorder (DVR), in connection with Crime.No.1302 of 2018, on the file of the first respondent herein, within a period of three months from the date of receipt of a copy of this order and the report shall be sent to the concerned Court for further action.

4.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Inspector of Police,
Sellur Police Station,
Madurai City,



2.The Director,
Officer of the Director Forensic Sciences Department,
Kamarrajar Salai, Mylapore,
Chennai - 600 004.

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

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ES (CO)

LR (05.08.2021) 3P 4C