



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.14495 of 2021

P.Lakshmi ... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tenkasi District.

3.The Inspector of Police,
Tenkasi Town Police Station,
Tenkasi District.
(Crime No.437 of 2021)

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the investigation in Crime No.437 of 2021 from the 3rd respondent to 2nd respondent under the supervision of 1st respondent and direct the 2nd respondent to secure and preserve all the CCTV footage recorded on 16.09.2021 from 04.30 pm to 07.15 pm by the cameras installed in the 3rd respondent police station.

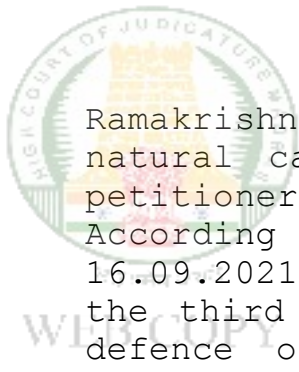
For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

O R D E R

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

2.The petitioner's son is figuring as accused in Crime No.437 of 2021 registered on the file of the third respondent. According to the petitioner, there was a wordy quarrel between one Ramakrishnan and the petitioner. The matter was taken to the 3rd respondent police station. Later during the day,



Ramakrishnan died. According to the petitioner, he died due to natural causes. But the case of the prosecution is that the petitioner's son was responsible for the death of Ramakrishnan. According to the petitioner, the CCTV footage recorded on 16.09.2021 from 04.30 pm to 07.15 pm in the cameras installed in the third respondent police station is necessary to sustain the defence of the accused. Of course, the petitioner is not competent to file this criminal original petition and it is only her son, who could have filed this criminal original petition. But then, this criminal original petition was filed in September, 2021, when the petitioner's son was in jail. Therefore, I do not want to non-suit the petitioner on the ground of *locus standi*.

3.The learned Additional Public Prosecutor states that the final report has already been filed on 17.11.2021 and it is pending at the committal stage in P.R.C.No.25 of 2021 on the file of the Judicial Magistrate, Tenkasi. The third respondent is directed to preserve the petition mentioned CCTV footage in a pendrive. It is open to the accused to seek its production at the appropriate stage.

4.With this direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Superintendent of Police,
Tenkasi District, Tenkasi.
- 2.The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tenkasi District.



3.The Inspector of Police,
Tenkasi Town Police Station,
Tenkasi District.

Copy to

The Judicial Magistrate,
Tenkasi.

+1 CC to M/s.S. BALAMURUGAN, Advocate (SR-35772[F] dated
24/11/2021)

Crl.O.P(MD)No.14495 of 2021
23.11.2021

RK(02/12/2021) 3P 6C