



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.2395 of 2022

S.Naveen

... Petitioner/3rd Accused

Vs.

1. The Superintendent of Police
Sivagangai,
Sivagangai District

2. The Medical Officer
Government Hospital,
Ilayankudi, Sivagangai District ...Respondents

3. The Inspector of Police
Elayankudi Police Station,
Sivagangai District ...Respondent/Complainant

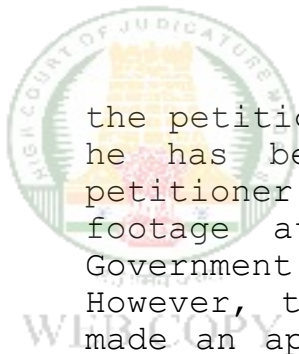
Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to recover and preserve the CCTV footages for the period in between 24.08.2021 to 25.08.2021 of the Government Hospital, Ilayankudi and the third respondent police station and to produce the same before the learned Principal District and Sessions Judge, Sivagangai.

For Petitioner	: Mr.C.M.Arumugam
For Respondents	: Mr.R.M.Anbunithi
No.1 to 3	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents to recover and preserve the CCTV footages for the period in between 24.08.2021 to 25.08.2021 of the Government Hospital, Ilayankudi and the third respondent police station and to produce the same before the learned Principal District and Sessions Judge, Sivagangai.

2. The petitioner is arraigned as third accused in PRC No. 8 of 2021 on the file of the learned District Munsif cum Judicial Magistrate, Ilayankudi . Based on the complaint given by one Muthu, the third respondent police registered a case in Crime No.356 of 2021 for the offences under Section 174(3) of Cr.P.C @ 294(b), 341,352 and 302 of IPC for the incident that occurred on 24.08.2021 in the temple festival while bursting crackers in their village. In the said incident, the defacto complainant died, whereas the case of the petitioner is that on the same day, his brother-in-law met with an accident near Athikarai Villaku while he was riding his motor cycle and the same was informed to him immediately, he rushed to the spot and he admitted the injured in the hospital, therefore



the petitioner was not at all present in the scene of occurrence and he has been falsely implicated in this case. Therefore the petitioner has submitted a representation to preserve the CCTV footage at Government hospital to prove his presence in the Government hospital, Ilayankudi at the time of occurrence. However, the hospital authorities replied that the petitioner has made an application beyond the period of thirty days and the said clippings are not available in the memory of the CCTV. Since the memory in the CCTV footage will be preserved for 30 days, the hospital authorities are not in a position to produce the same.

3. Therefore the direction sought for by the petitioner, cannot be granted now. Hence the petition stands dismissed.

Sd/-

Assistant Registrar (P&A)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The Principal District and Sessions Judge, Sivagangai.

2. The Superintendent of Police
Sivagangai,
Sivagangai District

3. The Medical Officer
Government Hospital,
Ilayankudi, Sivagangai District

4. The Inspector of Police
Elayankudi Police Station,
Sivagangai District

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

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-4626[F] dated 07/02/2022)

Crl.O.P. (MD)No.2395 of 2022
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PR(CO)

KB(17.02.2022) 2P 7C