



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.15987 of 2023
and Crl.M.P.(MD).No.12691 of 2023

K.Suresh

... Petitioner

Vs.

Gurumoorthy

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the docket order dated 14.08.2023 made in Un Numbered Cr.M.P No. of 2023 on the file of the Principal District and Sessions Judge, Virudhunagar at Srivilliputhur and set aside the same and directing the learned Principal District and Sessions Judge, Virudhunagar at Srivilliputhur to furnish the CCTV footage of cameras in the premises of Judicial Magistrate Court, Aruppukottai, dated 11.05.2023 between 10.00 a.m. and 11.00 a.m. to the petitioner.

For petitioner : Mr.J.Parekhkumar

ORDER

This petition has been filed seeking direction to set aside the docket order dated 14.08.2023 made in Un Numbered Cr.M.P No. of 2023 on the file of the Principal District and Sessions Judge, Virudhunagar at Srivilliputhur.



WEB COPY

2.A Noval prayer has been sought for by the petitioner seeking CCTV footage maintained in the campus of Judicial Magistrate Court, Aruppukkottai, on 11.05.2023 between 10.00 a.m. And 11.00 a.m. That was not entertained by the competent authority namely Principal District and Sessions Judge, Virudhunagar at Srivilliputhur, citing the proceedings of this Court in R.O.C.No.2020/2018/D1/MP, dated 24.08.2018. It was ordered to be returned. Challenging the above said return, this petition has been filed.

3.A query was made by this Court to the petitioner's counsel, as to for what purpose, he required the CCTV footage. For that he replied that the petitioner is facing charges under Section 138 of NI Act in C.C.No.48 of 2023, on the file of the learned Judicial Magistrate, Aruppukkottai. The complaint was lodged by one Gurumurthy, who is not known to the petitioner. On the particular date of hearing, the Gurumurthy was accompanied with Manoharan for the purpose of identifying this petitioner to the respondent namely Gurumurthy. Only to substantiate and to strengthen his defence, he want the CCTV footage to be furnished at the time of trial. This Court is absolutely not in position to understand the grievance of the petitioner. The petitioner can prove his defence in



whatever way he wants, by way of leading proper evidences. For collecting the evidence to prove his defence, that too CCTV footage maintained in the Court premises may not be proper and appropriate also. If such sort of request are allowed to be entertained, then the unnecessary trouble can be created by the parties. I find absolutely no reason to entertain this petition. The petitioner can very well prove his defence through proper evidences.

4. With the above said directions, this criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

28.11.2023

Index : Yes/No
Internet : Yes/No
TM

To

1. The Principal District and Sessions Judge, Virudhunagar at Srivilliputhur.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.15987 of 2023

G.ILANGOVAN. J.

TM

CrI.O.P.(MD)No.15987 of 2023

28.11.2023