2024:KER:59240

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 6TH DAY OF AUGUST 2024 / 15TH SRAVANA, 1946

CRL.MC NO. 5548 OF 2024

CRIME NO.154/2024 OF Peechi Police Station, Thrissur

PETITIONER/ ACCUSED NO.2 :

AKHIL
AGED 29 YEARS
SON OF SURENDRAN, KALAPURAKKAL HOUSE,
MANNUTHY PATTALAKUNNU DESOM, KOZHUKULLY (P.O),
THRISSUR DISTRICT, PIN - 680751

BY ADV NIREESH MATHEW

RESPONDENT/ STATE & BANK :

1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI, PIN - 682031

2 AXIS BANK
KUTTANELLOOR BRANCH, 26/685-9;
28/685-3, POTTACKAL, THANGAM TOWER,
PADAVARADU MAIN ROAD, KUTTANELLOOR,
THRISSUR, (BRANCH ID-4877),
PIN – 680 014

BY SMT.NIMA JACOB, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 06.08.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

2024:KER:59240

BECHU KURIAN THOMAS, J.

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Crl.M.C.No.5548 of 2024

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Dated this the 6th day of August, 2024

ORDER

Petitioner sought for a direction to the 2nd respondent – Axis Bank to preserve and furnish the CCTV footage pertaining to 15.02.2024, installed at its office.

2. Petitioner is the 2nd accused in Crime No.154 of 2024 of Peechi Police Station, Thrissur, alleging offences under the Narcotic Drugs and Psychotropic Substances Act, 1985. He alleges that the crime has been registered against him falsely and that the CCTV footage of 15.02.2024 installed at the office of the 2nd respondent would prove his innocence. According to him, despite repeated requests to the Investigating Officer, no steps were initiated to preserve the said footage or seize the same for the purpose of investigation.

3. When the case came up for consideration, this Court by an order dated 12.07.2024 directed the 2nd respondent to preserve the CCTV footage of 15.02.2024 in respect of the camera installed at the office of the 2nd respondent at Kuttanelloor Branch, Thrissur.

4. The learned counsel for the 2nd respondent submitted that pursuant to the direction of this Court, the CCTV footage as directed has been preserved.

5. In the light of the submission of the learned counsel for the

2nd respondent as noted earlier in this order, I am of the view that this Crl.M.C. can be disposed of making the interim order absolute and also observing that if in case the Investigating Officer seeks for production of the said CCTV footage so preserved, the same shall be made available by the 2nd respondent.

Ordered accordingly.

The Crl.M.C. is disposed of as above.

Sd/-

BECHU KURIAN THOMAS, JUDGE

RKM

APPENDIX OF CRL.MC 5548/2024

PETITIONER'S ANNEXURES :

Annexure 1	**TRUE PHOTOCOPY OF THE BAIL OBJECTION REPORT FILED BY THE INVESTIGATING OFFICER IN THE ABOVE CRIME IN B.A.NO.2941/2024 THROUGH THE LEARNED PUBLIC PROSECUTOR DATED 29.04.2024**
Annexure 2	**TRUE PHOTOCOPY OF THE PETITION DATED 14.06.2024 SUBMITTED BEFORE THE COMMISSIONER OF POLICE, THRISSUR BY THE PETITIONER'S WIFE ALONG WITH THE RECEIPT**