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Crl.O.P.No.22472 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.22472 of 2024

and

Crl.M.P.No.12806 of 2024

M.Surendran

... Petitioner

Vs.

1.The Inspector of Police,
E4, Police Station,
Abhiramapuram Police Station,, R.A.Puram,
Chennai-600 028.

2.Archana Ravindran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./528 BNSS, pleaded to call for the records and to quash the charge sheet in C.C.No.1195 of 2024 pending before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai filed by the 1st respondent police, E4, Police Station, Abhiramapuram Police Station,, R.A.Puram, Chennai-600 028, against the petitioner herein.

For Petitioner : Mr.S.Sivaraman

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER



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The petitioner herein is the 1st accused in C.C.No.1195 of 2024 on the file of the XXIII Metropolitan Magistrate, Saidapet, Chennai. The case is the out come of the complaint given by one Archana Ravindran, who is none other than the brother's daughter of this petitioner.

2. The complainant and this petitioner sharing the common individual house wherein, the petitioner resides in the 1st floor and the complainant's family resides in the ground floor. After demise of the complainant's father, there has been some misunderstanding between the family. Allegations against this petitioner in the complaint is that CCTV camera fixed by the complainant to monitor the movement for safety purpose been damaged by the petitioner.

3. The respondent police after investigation had recorded the statement of witnesses and filed final report based on the material collected in the course of the investigation, which includes the pen drive containing the CCTV footage and the statements of witness, who has meant the CCTV camera alleged to have been damaged by the petitioner and his son. The final report is laid against this petitioner and his son for offence under Section 427 r/w 34 IPC.



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4. The learned counsel appearing for the petitioner submits that there is no material to show that the CCTV camera fixed in the house of the complainant and the same was damaged by this petitioner. There is no details about the value of the damaged property and how many cameras got damaged.

5. The learned Government Advocate (CrI.Side) appearing for the respondent police relying upon the statement of witnesses submits that one witness by name Hanifa, who is LW.6, had stated about the damage to the 3 CCTV cameras and repair conducted by him. Another witness by name Thirunavukkarasu, LW.7 had spoken about the footage recorded in the CCTV camera and copied in the pen drive

6. This Court, on perusing those records, finds that the prosecution has made out *prima facie* case against this petitioner for offence under Section 427 r/w 34 IPC regarding the commission of crime

Dr.G.JAYACHANDRAN,J.

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as narrated. Hence this Criminal Original Petition to quash stands



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dismissed. Consequently, the connected Criminal Miscellaneous Petition
is closed.

12.09.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The XXIII Metropolitan Magistrate, Saidapet, Chennai

2.The Inspector of Police,
E4, Police Station,
Abhiramapuram Police Station,, R.A.Puram,
Chennai-600 028.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

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