



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14934 of 2026

Rajeswari

Petitioner(s)

Vs

1. The State represented by its:
The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai 600 007.

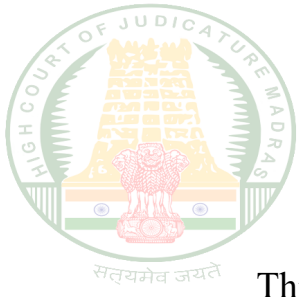
2. The Inspector of Police
W15, All women Police Station,
Royapuram, Chennai 600 013.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents, particularly the 2nd respondent police, to forthwith collect, secure, seize, preserve and maintain the CCTV footage available at the locations mentioned in paragraph No.10 above, pertaining to 23.04.2026 and covering the relevant time period surrounding the alleged occurrence, in connection with crime No.09 of 2026 on the file of the 2nd respondent Police Station, and consequently consider the petitioner's representation dated 23.05.2026 in accordance with law.

For Petitioner(s): M/s.D.Mario Johnson

For Respondent(s): Mr.A.Amarnath
Government Advocate (Crl. Side)

**ORDER**

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This Criminal Original Petition has been filed, seeking a direction to direct the respondents, particularly the 2nd respondent police, to forthwith collect, secure, seize, preserve and maintain the CCTV footage available at the locations mentioned in paragraph No.10 above, pertaining to 23.04.2026 and covering the relevant time period surrounding the alleged occurrence, in connection with crime No.09 of 2026 on the file of the 2nd respondent Police Station, and consequently consider the petitioner's representation dated 23.05.2026 in accordance with law.

2. The petitioner, who is the wife of Dinesh, the accused in Crime No.9 of 2026 registered by the 2nd respondent police for the alleged offence punishable under Section 6 read with Section 5(m) of the Protection of Children from Sexual Offences Act, 2012, has filed the present petition.

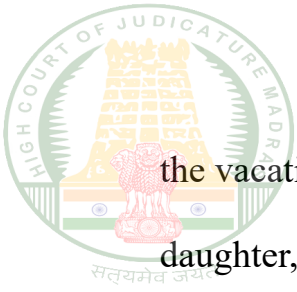
3. The contention of the learned counsel for the petitioner is that the petitioner's husband has been falsely implicated in the case. According to the petitioner, her husband is an active political worker and functionary of a political party and, owing to political rivalry and electoral differences prevailing



in the locality, the present complaint has been lodged with a view to wreak vengeance against him. It is submitted that the alleged occurrence is stated to

have taken place on the polling day, namely, 23.04.2026. On the said date, her husband was discharging his duties as a Booth Agent in connection with the election process and was continuously engaged in election-related activities. He further submitted that the movements and presence of her husband on 23.04.2026 would have been captured by various CCTV cameras installed at KCS Women's School Polling Booth, Kasimedu; John Fast Food Stall, Kasimedu; Kasimedu Traffic Signal; Kasimedu Signal Government School Polling Booth; Manappuram Gold Loan Branch, Kasimedu; Kannan Hairstyle Shop, Kasimedu; Apollo Clinic, Kasimedu; Hindu Burial Ground, Kasimedu; Anna Nagar (N4) School Polling Booth and Indian Coast Guard Base Maintenance Unit, Kasimedu. According to the petitioner, the CCTV footages from the aforesaid locations would establish that her husband was not present at his residence on 23.04.2026 at the relevant point of time.

4. Per contra, Mr.A.Amarnath, learned Government Advocate (Crl. Side) appearing for the respondent police had strongly opposed the submissions made by the learned counsel for the petitioner. He submitted that the victim's mother lodged a complaint on 03.05.2026, stating that she had three daughters and that all of them were sent to her parent's house at Kasimedu on 22.04.2026. After



the vacation, they returned on 02.05.2026. Thereafter, on 03.05.2026, her minor daughter, aged about 11 years, informed her that she went to the house of the petitioner, and was playing there, the petitioner had asked the minor girl to bring a mobile phone kept upstairs. When the minor girl went upstairs to take the mobile phone, the petitioner's husband had removed her clothes and committed penetrative sexual assault. He further submitted that, the defence of the petitioner's husband is one of *alibi*, namely, that he was not present at the house at the relevant point of time. Such a plea can be adjudicated only during trial. It was further contended that the accused cannot direct the investigation to be conducted in a specific manner and that it is for the accused to collect and produce the materials relied upon in support of his defence.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) and also produced the materials available on record.

6. Considering the above submissions made by the learned counsel on either side and upon perusal of the materials, this Court is not inclined to entertain the present petition. The specific defence taken by the petitioner is that her husband was not present in the house at the time of alleged occurrence and that he was elsewhere engaged in election-related duties. Such a plea is



essentially one of *alibi* and constitutes a matter of defence. It is for the petitioner to produce the relevant records and documents in support of such defence before the appropriate forum. The accused cannot seek a direction from this Court requiring the investigating agency to conduct the investigation in a particular manner. Hence, the relief sought in this petition cannot be granted.

7. Accordingly, this Criminal Original Petition stands dismissed.

15-06-2026

Jd

Neutral Citation: Yes/No

To

1. The State represented by its:
The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai 600 007.

2. The Inspector of Police
W15, All women Police Station,
Royapuram, Chennai 600 013.

3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.
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