



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 18276 of 2026

Pranay Narayan Srinivasan
S/o.Narayan Srinivasan
Director of Sourceasy Inc and
Sourceasy Manufacturing Service Pvt Ltd,
D.No.1320, Main Street, Suite 5a,
Los Angeles, Ca 90015,
USA.

..Petitioner(s)

Vs

1.The State represented by
The Inspector of Police,
CCB, Tirupur,
Amman Kalyana Mandapam,
Sirupooluvapatti,
Tiruppur City – 641 603.

2.C.Loganathan
S/o.K.Chenniyappan
Share Holder of M/s.Atlas Textiles
Atlas Textiles,
Kangeyam Road, Tiruppur.
(R2 is suo moto impleaded vide order dated
14.07.2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 r/w 529 of BNSS, to direct the learned Judicial Magistrate - IV, Tiruppur to accept the vakalatnama dated 30.04.2026 in connection with C.C.No.55 of 2026 taken on file for offences under Sections 120, 420, 406, 407 and 109 of IPC and to provide certified copies of the charge sheet / Final Report and other accompaniments.



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For Petitioner(s):

Mr.C.Arun Kumar

For Respondent(s):

Mr.R.Rajasekaran

Government Advocate (Criminal Side)

for R1

M/s.K.Kavya

for R2

ORDER

This Criminal Original Petition has been filed with a direction to the learned Judicial Magistrate – IV, Tiruppur to accept the vakalatnama dated 30.04.2026 in connection with C.C.No.55 of 2026 taken on file for the offences under Sections 120, 420, 406, 407 and 109 of IPC and to provide certified copies of the charge sheet / Final Report and other accompaniments.

2. The case of the petitioner is that the petitioner is arrayed as A1 in the aforementioned case and he is currently residing in Los Angeles, California State, in the United States of America. He states that summons have been served upon him for further proceedings. The petitioner wants a certified copy of the final report filed in the case. Therefore, by duly engaging counsel, he filed the vakalatnama and the certified copy application. The vakalatnama was executed before a Notary Public, and the notary certificate accompanies the same. It is also stated in the vakalatnama itself that the certificate is attached.



3. The learned counsel for the petitioner would submit that when the vakalat was filed, the Trial Court has rejected the same solely on the ground that the notary should be on the first page of vakalatnama itself. However, it can be seen that in the relevant space of the vakalatnama, it is endorsed as “see attached certificate” and the certificate is duly attached, whereby the notary certifies that the executant signed the vakalatnama in their presence.

4. Therefore, the learned counsel would submit that the vakalatnama has been duly executed before the notary and as per Rule 27(7) of the Criminal Rules of Practice, 2019. He argued that if a vakalatnama is duly executed before a notary, it constitutes a valid execution and therefore, the Trial Court ought to have accepted the vakalatnama and processed the certified copy application.

5. Per Contra, the learned Government Advocate (Criminal Side) would submit that the petitioner is now residing in the United States of America. India and the USA are signatories to the Convention Abolishing The Requirement of Legalisation for Foreign Public Documents, dated 05.10.1961.

6. As per Article 3 of the said Convention, the executed document must be annexed with a certificate. As per Article 4 does not enable a notary to



attest, but requires certification by the Secretary of that particular state, as per the Convention.

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7. I have considered the rival submissions made on either side and perused the materials records of the case.

8. It is true that the India and USA are parties of the Convention, however, Article 3 of the convention is extracted hereunder for ready reference:-

Article 3

The only formality that may be required in order to certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the Seal or stamp which it bears, is the addition of the certificate described in Article 4, issued by the competent authority of the State from which the document emanates.

However, the formality mentioned in the preceding paragraph cannot be required when either the laws, regulations, or practice in force in the State where the document is produced or an agreement between two or more Contracting States have abolished or simplified it, or exempt the document itself from legalisation.

9. Even though Article 3 of the Convention states that there must be a certificate as described in Article 4, in addition, the latter clause states that the formality mentioned in the preceding paragraph cannot be required when either the laws, regulations, or practice in force in the state where the document is produced or an agreement between two or more Contracting states have



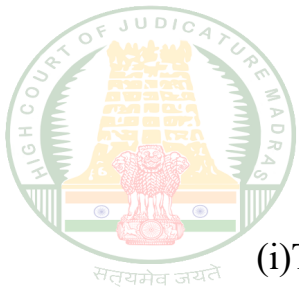
abolished or simplified or exempt the document itself from legalisation.

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10. A reading of Rule 27(7) makes it clear that the vakalatnama shall be attested by either a Gazetted Officer in the service of the Central Government or any of the State Government or of a Commissioned Officer in the Defence Forces or an Ambassador or Envoy duly accredited by or to the Central Government or an Advocate enrolled under the Advocates Act, 1961 or a Notary Public or Commissioner of Oaths.

11. It cannot be said that Rule 27(7) is not applicable in respect of a vakalatnama which is executed abroad. Therefore, since the Rule is flexible enough to include a Notary Public, I am of the view that when Article 3 of the Convention itself states that when there is a simplified procedure, the same can be adopted. The vakalatnama need not be returned. This interpretation is made under the peculiar circumstances of this case only to facilitate the progress of the case and ultimately, the Court keeps in mind the progress of every criminal case. As all these procedures are only handmaids of justice to enable the progress of the case. Brakes need not be applied at the initial stage itself, and the case has to proceed in the manner known to law.

12. In view thereof, this Criminal Original Petition is ordered on the following terms:-



(i) The petitioner shall re-present the vakalatnama and the certified copy application within a period of one (1) week from the date of receipt of the web copy of this order.

(ii) Upon receipt of the same, the vakalatnama shall be accepted and the copy application shall be processed in the manner known to law.

14-07-2026

Neutral Citation: Yes
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To

1. The Judicial Magistrate – IV, Tiruppur.
2. The Inspector of Police,
CCB, Tiruppur,
Amman Kalyana Mandapam,
Sirupooluvapatti, Tiruppur City – 641 603.
3. The Public Prosecutor,
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

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