

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2015

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1281 of 2015

and

M.P.No.1 of 2015

A.M.Latheef

S/o.Ahamed Kabeer

... Petitioner/Accused-2

vs.

State represented by
The Inspector of Police,
Economic Offences Wing II,
Chennai.

Crime No.5 of 2007

... Respondent/Respondent

Criminal Revision filed under Sections 397 and 401 Cr.P.C. to call for the records in Crl.M.P.No.4101 of 2015 in C.C.No.97 of 2015 on the file of learned Judicial Magistrate I, Poonamallee and set aside the order dated 02.11.2015.

For Petitioner : Mr.A.M.Rahamath Ali

For Respondent : Mr.C.Iyyapparaj

Government Advocate [Crl.side]

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O R D E R

This revision arises against the order of learned Judicial Magistrate I, Poonamallee, passed in Crl.M.P.No.4101 of 2015 in C.C.No.97 of 2015 on 02.11.2015.

2. Petitioner/A2 is facing trial in C.C.No.97 of 2015 on the file of learned Judicial Magistrate I, Poonamallee. When the case was posted for framing of charges, A1 and petitioner/A2 have filed a petition u/s.207(5) Cr.P.C. to furnish copies of

documents mentioned in the charge sheet. Under orders dated 02.11.2015, the Court below, dismissed such petition on the reasoning that the documents are voluminous in nature and the same can be perused at the time of trial through the accused's counsel. There against, the present revision has been filed.

3. Heard learned counsel for petitioner and learned Government Advocate [Crl.side].

4. A perusal of the list of documents furnished by the respondent makes clear that the present is not a case which would justify resort to second proviso to Section 207 Cr.P.C.

This Criminal Revision is allowed. The order of learned Judicial Magistrate I, Poonamallee, passed in Crl.M.P.No.4101 of 2015 in C.C.No.97 of 2015 on 02.11.2015, is set aside. The Court below is directed to furnish copies of documents strictly in keeping with Section 207 Cr.P.C. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gm

To

1.The Judicial Magistrate I,
Poonamallee.

2.-do-The Chief Judicial Magistrate Chennai

3.The Inspector of Police,
Economic Offences Wing II,
Chennai.

4.The Public Prosecutor,
High Court,
Madras.

+1 cc to Mr.A.M.Rahamth Ali Advocate sr.67761

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