

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.18170 of 2015

R.Muruganandam

..

Petitioner

Vs

The State, rep by
The Superintendent of Police,
CBCID Police Station,
Puducherry.
Crime No.89 of 2014

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482& 483 of Cr.P.C., praying to set aside the order dated 08.07.2015 made in Crl.M.P.No.948 of 2015 in Special C.C.No.4 of 2014 on the file of the learned Special Judge (under the POCSO Act), Principal Sessions Judge, Pondicherry by permitting the petitioner to get a copy of the final report in Crime No.89 of 2014.

For Petitioner :Mr.N.Manokaran

For Respondent :Mr.M.R.Thagavel

Additional Public Prosecutor (Pondy)

ORDER

This Criminal Original Petition has been filed praying to set aside the order dated 08.07.2015 made in Crl.M.P.No.948 of 2015 in Special C.C.No.4 of 2014 on the file of the learned Special Judge (under the POSCO Act), Principal Sessions Judge, Pondicherry by permitting the petitioner to get a copy of the final report in Crime No.89 of 2014.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Pondy) appearing for the respondent.

3. It is seen that the respondent Police have investigated the case in Crime No.89 of 2014 which relates to trafficking of children for prostitution and the final report has also been filed before the learned Special Judge (Under the POSCO Act) Principal Sessions Judge, Puducherry. This Court was monitoring the investigation in Crime No.89 of 2014, while dealing with Crl.OP.No.29366 of 2014, which relates to the bail application of one A.Tamilselvan.

4. The petitioner herein is one R.Muruganandam who has been espousing the cause of the victims and he was permitted to assist this Court when the matters relating to the said case came up for hearing.

5. It is seen that the respondent Police have filed a further additional charge sheet in the said case. The petitioner seems to have made a copy application for granting of certified copy of the additional charge sheet and the same was rejected by the learned Trial Judge by order dated 08.07.2015, challenging which, the petitioner is before this Court.

6. The learned Trial Judge has rejected the request of the petitioner on the ground that the matter is very sensitive, involving minors and in order to protect the identity of the victims, it will not be desirable to furnish certified copy of additional charge sheet to a third party. The reason given by the Trial Judge cannot be faulted.

7. At the same time, it is seen that this petitioner has been assisting the Court for effective prosecution and therefore, he is not an interloper. There are no criminal cases against this petitioner.

8. In the considered opinion of this Court, it will be in the interest of justice, if a direction is issued to the Trial Judge to furnish a certified copy of the additional charge sheet to the petitioner on payment of appropriate charges, after the papers are served to the accused under Section 207 Cr.P.C.

9. With the above direction, this Criminal Original Petition is ordered accordingly.

ds

s/d-

Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
CBCID Police Station,
Puducherry.
2. The Special Judge, under
POCSO Act
Principal Sessions Judge
Pondicherry.

3. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.N.Manokaran, Advocat SR 37301

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