

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.19230 of 2015

K.Armstrong

.. Petitioner

Vs

State rep. By
Inspector of Police,
B2, Esplanade Police Station,
Chennai.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned XVII Additional Sessions Judge, Chennai, to furnish legible copies of charge sheet and other connected papers in P.R.C.No.31 of 2015 (S.C.No.118 of 2015 on his file).

For Petitioner :Mr.V.V.Sairam

For Respondent :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This petition has been filed by the petitioner seeking for a direction to the learned XVII Additional Sessions Judge, Chennai, to furnish legible copies of charge sheet and other connected papers in P.R.C.No.31 of 2015 (S.C.No.118 of 2015 on his file).

2. Earlier, the petitioner has approached this Court by filing a petition in Crl.O.P.No.9584 of 2015 praying for a direction to the Committal Court to furnish legible copies of the final report, 161 statements and other documents relied upon by the prosecution.

3. This Court, by order dated 16.04.2015 in Crl.O.P.No.9584 of 2015, has passed the following order:-

"3.It is submitted by the learned counsel for the petitioner that the copies furnished by the trial Court under Section 207 Cr.P.C., to the

petitioner/accused containing 161 statements and other documents that have been relied upon by the prosecution, on the face of it, are totally illegible. This Court perused the same and found them to be illegible.

4. In my considered opinion, it is not possible for the petitioner/accused to conduct effective defence in P.R.C.No.31 of 2015 in the absence of legible copies of 161 statements and other documents which was provided to him under Section 207 Cr.P.C.

5. Therefore, a direction is issued to the learned VII Metropolitan Magistrate, George Town, Chennai and to the respondent police to furnish legible and clear documents in P.R.C.No.31 of 2015 to the petitioner/accused within a period of four weeks from the date of receipt of a copy of this order and proceed further in accordance with law.

6. With the above direction, the Criminal Original Petition is disposed of."

4. It appears that the Committal Court had once again furnished photocopies of the same documents which are not legible and the case has now been committed to the Court of sessions. Even for the Sessions Court to proceed with the trial, it would need legible copies of 161 statements.

5. Under such circumstances, the learned XVII Additional Sessions Judge, Chennai, is directed to furnish typed copies of 161 statements including confession statements of the accused recorded by the police during investigation, to the petitioner/accused No.2.

With the above direction, this Criminal Original Petition is closed.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

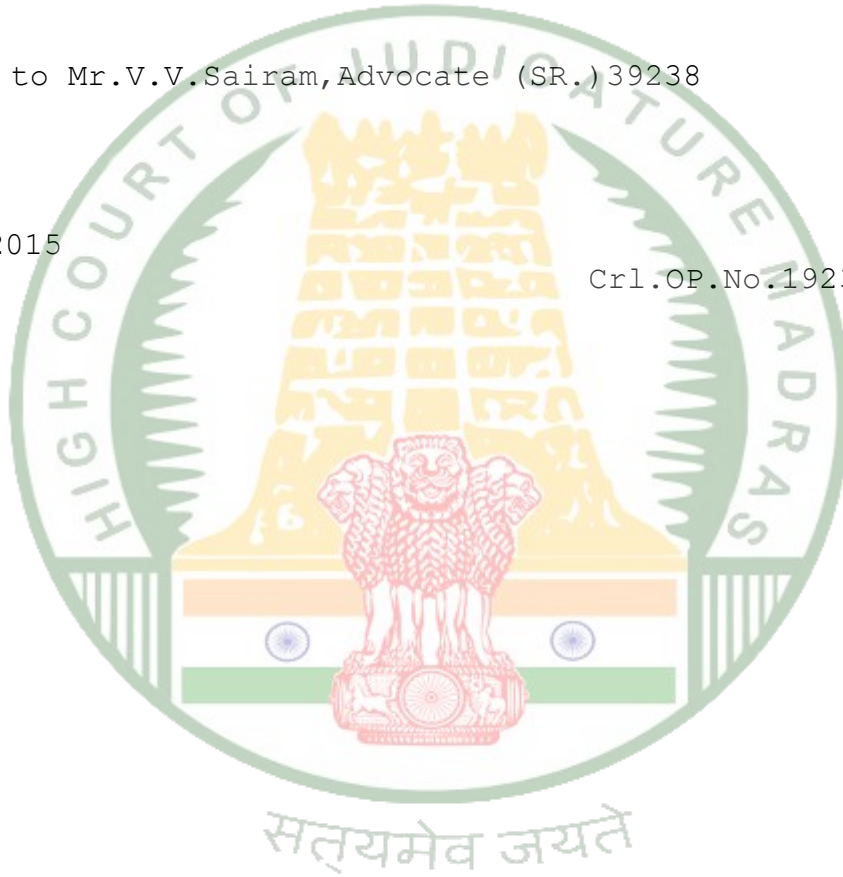
To

1. XVII Additional Sessions Judge,
Chennai.
2. The Inspector of Police,
B2, Esplanade Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.V.V.Sairam, Advocate (SR.) 39238

TEJ(CO)
cp 06.08.2015

Cr1.OP.No.19230 of 2015



WEB COPY