

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26744 of 2015

Velu

... Petitioner

Vs

The Inspector of Police,
R.K.Pet Police Station,
R.K.Pet,
Tiruvallur District.
(Cr.No.24 of 2010)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the Judicial Magistrate, Pallipet, Tiruvallur District to furnish certified copy of the FIR and Charge Sheet in C.C.No.61 of 2015 to the petitioner.

For Petitioner : Mr.R.Hemalatha
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner seeks for a direction to the learned Judicial Magistrate, Pallipet, Tiruvallur District to furnish certified copy of the FIR and Charge Sheet in C.C.No.61 of 2015 to the petitioner.

2. The petitioner has lodged a complaint against the named persons viz., Ramesh, S/o.Narasimman, Sankar, S/o.Narasimman, Ravi, S/o.Munirathinam, Jayakumar S/o.Venkatesan and Kozhi Narasimman and G.Venkatesan alleging that they attacked the petitioner, with common intention, by using stick and iron rod and the same was registered in Crime No.24 of 2010. Subsequently, charge sheet has been filed before the learned Judicial Magistrate, Pallipet, Tiruvallur District and the same has been taken on file in C.C.No.61 of 2015. The petitioner has filed an application for furnishing certified copy of FIR and Charge Sheet. But the petitioner's copy application was returned on 20.10.2015 by making the following endorsement:

"The case is pending for completion of service of summons on the accused. Hence returned".

Aggrieved over the same, the present petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the submissions made on either side, I am of the opinion that since the petitioner is a defacto complainant, he is entitled to receive the certified copy of the FIR and Charge sheet and therefore, this Court directs the petitioner to file a fresh copy application within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the learned Judicial Magistrate, Pallipet, Tiruvallur District is directed to furnish the certified copy of the FIR and charge sheet in C.C.No.61 of 2015 to the petitioner.

5. With the above direction, the petition is disposed of.

vsm

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
R.K.Pet Police Station,
R.K.Pet,
Tiruvallur District.

2. The Judicial Magistrate-II,
Tiruppur.

+ 1 cc to Mr.C.Prakasam, Advocate SR 60681

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