



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

Crl.O.P (MD) No.21649 of 2016
and Crl.M.P. (MD) No.11131 of 2016

G.Kathiresan : Petitioner

Vs.

The State,
Rep. By the Inspector of Police,
Vigilance and Anti-Corruption Wing,
Sivagangai,
Sivagangai District. : Respondent

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the learned Special Judge for Vigilance and Anti-Corruption Cases, Sivagangai to furnish the reconstructed copies in C.C.No.15 of 2014 on the file of the learned Special Judge for Vigilance and Anti-Corruption Cases, Sivagangai to the petitioner.

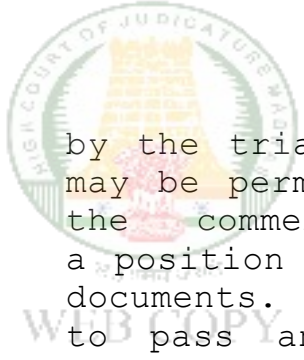
For Petitioner : Mr.G.Prabhu Rajadurai
For Respondent : Mr.P.Kandasamy
Government Advocate(Crl. Side)

O R D E R

This Criminal Original Petition has been filed praying to direct the learned Special Judge for Vigilance and Anti-Corruption Cases, Sivagangai, to furnish the reconstructed copies in C.C.No.15 of 2014, on the file of the learned Special Judge for Vigilance and Anti-Corruption Cases, Sivagangai, to the petitioner.

2. The Court heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate (crl.side) for the State.

3.The learned counsel appearing for the petitioner would submit that, as per the order of this Court, re-construction was ordered in C.C.No.15 of 2014, on the file of the learned Special Judge for Vigilance and Anti-Corruption Cases, Sivagangai. He would further submit that the re-constructed documents are not furnished to the petitioner, before the commencement of the trial,



by the trial Court. He would further submit that the petitioner may be permitted to inspect those re-constructed documents before the commencement of trial. Since the Petitioner would not be in a position to conduct the trial without knowing the reconstructed documents. The Learned Government Advocate also has no objection to pass an order permitting the petitioner to inspect those reconstructed documents before examination of the witnesses by the trial Court. The Official Memorandum, dated 25.11.2015 of the High Court, Madras, also does not state the particulars of missing and damaged documents.

4. In the above circumstances, this Court directs the trial Court to permit the petitioner to inspect those documents, which are re-constructed in this case, before the commencement of trial, in the presence of CMO of the concerned Court.

5. With the above observation, this Criminal Original Petition stands closed. Consequently, connected Miscellaneous Petition is also closed.

Sd
ASST REGISTRAR (RTI)

TRUE COPY

SUB ASST REGISTRAR

ps

To

1. The Special Judge for Vigilance
and Anti-Corruption Cases, Sivagangai.

2. The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Sivagangai, Sivagangai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.G.Prabhu Rajadurai Advocate Sr.No. 69173

JAM/14.11.16/GSV-PM/ SK SKN SAR 3

Order made in
Crl.O.P(MD)No.21649 of 2016
Dated:- 15.11.2016