

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.11.2017

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Revision No.1125 of 2015

CBI represented by
Additional Superintendent of
Police, SPE:CBI:ACB:Chennai. ... Petitioner/Complainant

Versus

Shri Padmanabhan Kishore
M/s. Everonn Education Limited.,
Perungudi, Chennai. ... Respondent/Accused

Criminal Revision filed under Section 401 r/w 397 Cr.P.C.,
to set aside the order dated 22.07.2015, in Criminal M.P.No.222
of 2015, in CC No.3 of 2013 passed by the learned IX Additional
Special Judge for CBI Cases, Chennai.

For Appellant ... Mr.K.Srinivasan
Special Public Prosecutor for CBI cases

For Respondent.. Mr.Abudhu Kumar Rajarathinam for
Mr.K.Sathiaseelan.

ORDER

This Revision Petition is directed against the order of the
trial court directing the Prosecution Agency to furnish the
unedited true certified copy of intercepted phone conversation
in audio form while the transcript of the intercepted phone
conversation has already been furnished to the
respondent/accused under Section 207 of Cr.P.C.

2. The contention of the learned counsel appearing for the
respondent/accused is that the transcript does not consist of
the entire phone conversation found in the audio record, but it
is only a selective portion of the phone conversation. Hence the
entire unedited conversation found in the audio record has to be
furnished to the accused.

3. The learned Special Public Prosecutor submits that
pursuant to the order passed by the trial court the entire
unedited certified copy of intercepted phone conversation in

audio form has already been submitted to the trial court with certificate under Section 65B of the Indian Evidence Act, along with memo on 28.9.2017.

4. Having furnished the entire unedited intercepted phone conversation in audio form before the trial court, nothing survives in the Revision Petition.

5. In the result, this Revision Petition is dismissed. However, it is made clear that the trial court shall take copies of the intercepted phone conversation in audio form furnished by the Prosecution along with memo dated 28.9.2017, with the assistance of the experts in the presence of the counsels appearing for the Prosecution as well as the accused and furnish copy of the same to the persons concern within a period of 30 days from the date of receipt of copy of the order.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

gr

Copy to:-

- 1.The IX Additional Special Judge for CBI Cases, Chennai.
- 2.The Special Public Prosecutor for CBI cases, High Court, Madras.

+1cc to Mr.K.Sathiaseelan, Advocate in sr.no.77545

Crl.Revision.No.1125 of 2015

PVS (CO)
NR 04/12/2017

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