

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.22270 of 2017
and Crl.M.P. No. 13067 of 2017

1. Babu Singh
2. Komal Singh

.. Petitioners

Vs.

State rep. by
The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai - 600 040.

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order passed by the learned V M.M, Egmore, Chennai in Crl.M.P. No. No.1728 of 2017 in C.c. No.4480/2012, U/s. 91(1) of Cr.P.C, dated 20.09.2017 and consequently direct the Hon'ble V M.M. Egmore, Chennai to mark the unregistered load agreement dated 21.03.2011 in 20/- Rupees Stamp Paper and the FIR lodged by the Avadi Railway Police in Crime No. 557 of 2011, dated 30.12.2011 as Exhibits in the above C.C. No. 4480 of 2012 on the file of the Hon'ble V M.M. Court, Egmore, Chennai.

For Petitioners : M/s.T.Suresh

For Respondent : Mr.Iyyappa Raj, APP

सत्यमेव जयते
O R D E R

The Petitioner's request filed under Section 91(1) Cr.P.C was rejected on the ground that the petition was filed only to drag on the proceedings. Challenging the same, the present petition is filed.

2. The learned counsel for the petitioners submitted that the petitioners may be given an opportunity to mark their documents to prove their bonafide in the case.

3. In view of the submissions made by the petitioner, by giving another opportunity to mark documents, by fixing the time frame will not cause prejudice to the prosecution and by fixing such time frame, the proceedings may not get unjustifiably

prolonged.

4. Hence the order passed in CMP No. 1728 of 2017 in C.C.No. 4480 of 2012, dated 20.09.2017 by the learned V Metropolitan Magistrate, Egmore, Chennai is set aside. Consequently, the learned V Metropolitan Magistrate, Egmore, Chennai is directed to mark the unregistered loan agreement dated 21.03.2011 which is a part of the charge sheet as exhibits in C.C. No. 4480 of 2012 on 13.11.2017. Such an exercise shall be completed on the same day. It is made clear that no further time will be granted to the petitioners in this regard.

With the above observations and directions, the Criminal Original Petition stands disposed of. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1. The V Metropolitan Magistrate,
Egmore, Chennai
2. The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai - 600 040.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Suresh, Advocate, S.R.No.78791

CRL.O.P.No.22270 of 2017

NM(CO)
GN(08/11/2017)

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