

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2017

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.27126 of 2017

T.S.R.Vasudevan

... Petitioner

Vs.

State Rep., by
The Inspector of Police,
CBI/ACB/Chennai.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Crl.M.P.No.4729 of 2017, dated 04.12.2017 in C.C.No.12 of 2005 pending before the XI Additional Special Judge for CBI Cases, Chennai.

For Petitioner : Mr.V.Anuradha

For Respondents : Mr.K.Srinivasan
Special Public Prosecutor (CBI Cases)

ORDER

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The petitioner herein has filed petition under Section 91 of Cr.P.C., for production of document pertaining to O.A.No.383 of 2007 pending before the DRT, Chennai.

2. This petition prayer is to direct the CBI to produce the documents pertaining to O.A.No.383/2007 pending before the DRT Chennai. The trial Court has dismissed the petition on the ground that the petitioner has not mentioned list of documents to be summoned. The petitioner is the party to the proceedings. While so, the copies of the said documents would be available with the petitioner. If the intention of the petitioner is genuine, he would have obtained certified copies of the same.

3. Aggrieved by the dismissal of his petition, the accused has moved this CrI.O.P., to set aside the order passed by the trial Court and to direct the respondent/complainant to produce the document pertaining to O.A.No.383/2007 on the file of DRT, Chennai.

4. It is very unfortunate that the petitioner/accused at the fag end of the trial had moved the application under Section 91 Cr.P.C., even without furnishing the details before which DRT the O.A.No.383/2007 is pending.

5. Further more, the respondent/CBI is not a party to the DRT proceedings and they are not expected to have any document

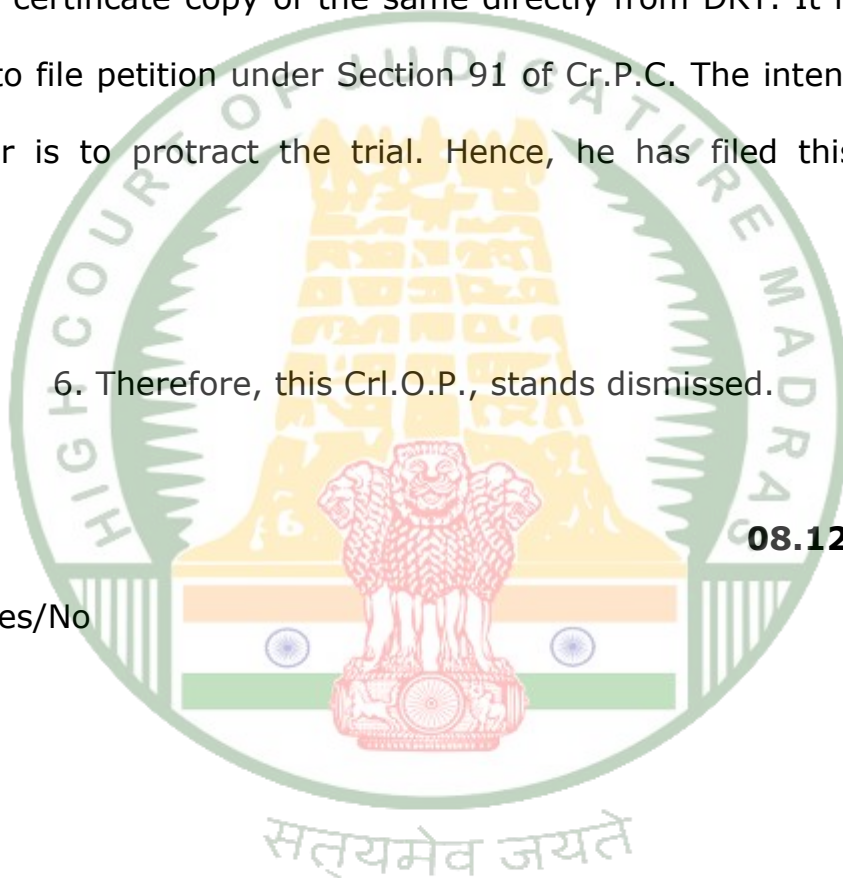
pertaining to O.A.No.383/2007. Contrarily, it is the petitioner who is a party to that proceedings and he have been furnished all the documents as pointed by the trial Court. If at all, the petitioner wants to rely upon any document, pertaining to O.A.No.383/2007, he could obtained certificate copy of the same directly from DRT. It is needless for him to file petition under Section 91 of Cr.P.C. The intention of the petitioner is to protract the trial. Hence, he has filed this frivolous petition.

6. Therefore, this CrI.O.P., stands dismissed.

08.12.2017

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Index: Yes/No



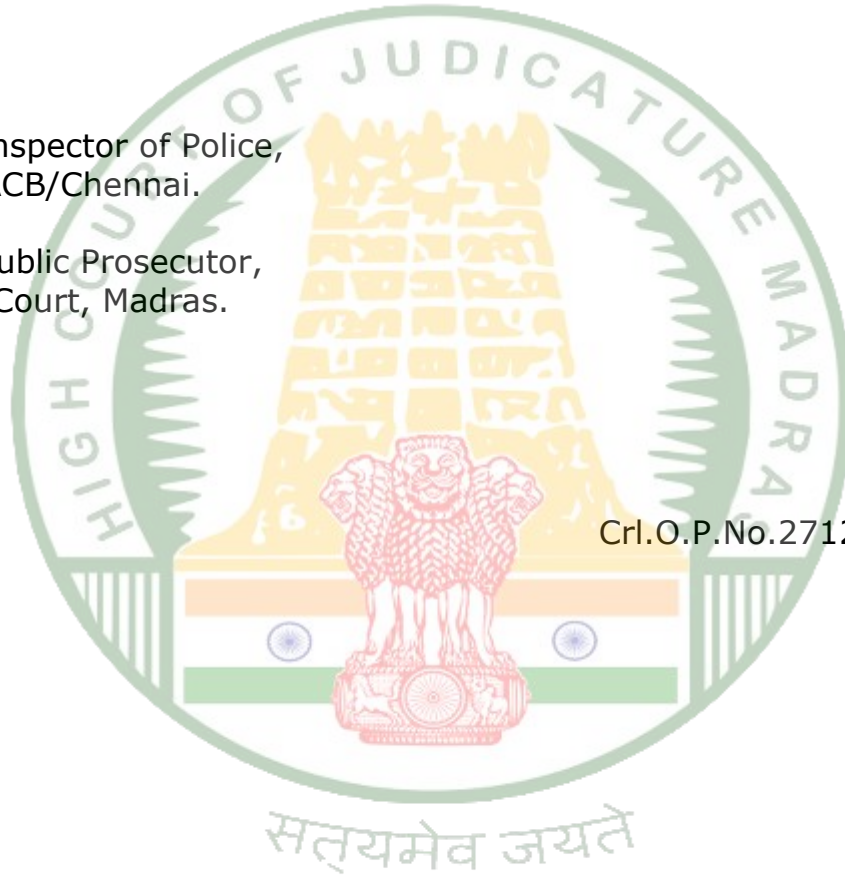
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Dr.G.JAYACHANDRAN,J.

AT

To

1. The Inspector of Police,
CBI/ACB/Chennai.
2. The Public Prosecutor,
High Court, Madras.



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