

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2017

CORAM

THE HON`BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.27042 of 2016

L.Ramanathan

... Petitioner

Vs

State rep. by
The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Krishnagiri.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C to
to set aside order passed in Crl.M.P.No.442 of 2016 by the
learned Chief Judicial Magistrate, Krishnagiri in Spl. C.C.No.24
of 2010 dated 03.12.2016.

For Petitioner : Mr.L.Baskaran

For Respondent : Mr.E.Raja
Additional Public Prosecutor

O R D E R

This petition is filed as against the dismissal of the
petition filed under section 91 Code of Criminal Procedure to
send for documents from the Tahsildar, Pochampalli Taluk.

2. The learned Additional Public Prosecutor submitted that
the trial in this case is almost over and the Investigating
Officer has been examined in chief and the case is posted for
cross examination of the Investigating Officer on 06.06.2017.

3. Of course, the petitioner is entitled to put forth the
facts before the Court for proper appreciation of the case to
prove his innocence and the same can be done by way of summoning
the witness as a defence witness and there is no bar in legally
summoning the witness along with the documents to defend his

case. Further summoning of the document under section 91 of Code of Criminal Procedure, without examining the officer who is the author of the document, will not be helpful to the petitioner.

4. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to take out summons to the concerned officer as a defence witness. Further, the trial Court is directed to dispose of the case within a period of two months from the date of receipt of a copy of this Order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Krishnagiri.
2. The Chief Judicial Magistrate,
Kirshnagiri.

+lcc to Mr.L.Baskaran, Advocate, S.R.No.39886

Cr1.O.P.No.27042 of 2016

CS/12/06/17

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