

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 07.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH**Crl.O.P.(MD)No.3561 of 2017 &
Crl.M.P.(MD).No.2670 of 2017**

1.Madhavan
2.Sunu Madhavan
3.Throwpathy : Petitioners/Petitioners/Accused Nos.2 to 4

Vs.

State rep. by
Deputy Superintendent of Police,
Economic Offences Wing II,
Nagercoil,
Kanyakumari District,
Crime No.3/2009 : Respondent/Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to the impugned order of the Special Judge for TNPID Act Case, Madurai in Copy Application No.328 of 2016 in C.C.No.21 of 2013, dated 10.01.2017 set aside the same and allow this petition.

For Petitioners : Mr.R.J.Karthick

For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent. Mr.F.Maria Vincent, EOW II, Nagercoil, Kanyakumari District is present.

2. The petitioners are arrayed as A2 to A4 in C.C.No.21 of 2013 before the Special Court for TNPID Act, Madurai. Along with the charge sheet in C.C.No.21 of 2013, the respondent police have filed several documents, which they are not relying upon, but which according to the petitioners will be benefit to them for effective defence. Therefore, the petitioners made a copy application in C.A.No.328 of 2016 before the Special Court for TNPID Act, Madurai, which was not entertained on the ground that the copies of the documents sought by them have not been marked as exhibits. Hence, the petitioners are before this Court.



3. This issue is no longer *res integra* in the light of the law laid down by the Hon'ble Supreme Court in **V.K.Sasikala Vs. State** reported in **{(2012) 9 SCC 771}**

4. In the result, the criminal original petition is allowed and liberty is given to the petitioners to submit afresh copy application asking for the same documents and if those documents are available on the file of the Court, certified copy of the same shall be furnished to the petitioners on payment of necessary charges. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Special Court for TNPID Act, Madurai.

2.The Deputy Superintendent of Police,
Economic Offences Wing II,
Nagercoil,Kanyakumari District.

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

+1 cc to Mr.R.J.Karthick , Advocate in SR.No. 51276

jikr

AE/SV MMS/18.04.2017/2P/5C

Order made in
Cr1.O.P. (MD)No.3561 of 2017
Dated: 07.04.2017