

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.24582 of 2017

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioner/complainant to quash the order dated 05.12.2017 in CrI.M.P.No.3355 of 2017 in CrI.M.P.No.54 of 2017 in C.C.No.37 of 2008.

2. The petitioner filed an application under Section 91 Cr.P.C. to summon the documents from respondent No.8 herein and accordingly, the Court below passed a docket order dated 11.07.2017, whereby respondent No.8 produced documents and those documents are received subject to proof and relevancy and objection raised by the other side. But during trial, it appears that respondent Nos.1 to 7 raised objections regarding admissibility of the documents, which were produced by respondent No.8 before the Court below.

3. The petitioner summoned only the original documents and the Court below conceded the request of the learned counsel for the petitioner. But instead of insisting for production of original documents, received photostat copies of documents, which are inadmissible in evidence. But in such a case, the duty is cast upon the Court to insist respondent No.8 to produce original documents, which are admissible in evidence. Therefore, in view of the objection raised by respondent Nos.1 to 7 regarding admissibility of documents produced before the Court below by respondent No.8, the Special Judge for Economic Offences at Hyderabad is directed to take necessary steps under Section 349 Cr.P.C. whenever respondent Nos.1 to 7 objected regarding

admissibility of any of the documents produced by respondent No.8 before the Court below.

4. Since the direction is sought against respondent No.8 alone, no notice need be issued to respondent Nos.1 to 7 as they are not necessary parties as per the petition.

5. With the above direction, the Criminal Petition is disposed of. Consequently, Interlocutory Applications, if any, pending in this Criminal Petition shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 27.12.2017

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THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY



CRIMINAL PETITION No.11589 of 2017

Date: 24.11.2017

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