

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.08.2018

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.19521 of 2018

Savarinathan

.. Petitioner

Vs

State rep. by Inspector of Police,
Central Crime Branch,
Cuddalore District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the Judicial Magistrate No.I, Panruti, Cuddalore District to consider the petition to recall the Non Bailable Warrant issued against the petitioner herein in CC.No.182 of 2017 on his file and direct the learned Magistrate to furnish the copy of the remaining documents relating to the above case to the petitioner herein.

For Petitioner : Mr.A.Arasuganesan
For Respondent : Mr.C.Raghavan, GA

ORDER

This Criminal Original Petition has been filed to direct the Judicial Magistrate No.I, Panruti to consider the petition to recall the Non Bailable Warrant issued against the petitioner herein in C.C.No.182 of 2017 and to furnish copy of the remaining documents in C.C.No.182 of 2017.

2.The petitioner is facing trial in C.C.No.182 of 2017 for the offences under Section 420, 468 and 471 IPC before the Judicial Magistrate No.I, Panruti, Cuddalore District. While so, it is the contention of the petitioner that he has filed a copy application for certain documents and the same have not been furnished. While so, the petitioner filed CrI.O.P.No.55 of 2018, which has been disposed of by this court on 04.01.2018 with certain directions.

3.It is the grievance of the petitioner that still those documents have not been furnished and therefore, he will appear before the trial Court, only when those documents are furnished.

It is also brought to the notice of this Court that Non Bailable Warrant was issued against this petitioner on 29.10.2017. It was recalled on 20.04.2018. It appears that once again Non Bailable Warrant has been issued.

4.Heard Mr.Arasuganesan, learned counsel for the petitioner and the learned Government Advocate appearing for the respondent.

5.The fact remains that the petitioner has been furnished with the relied upon documents under Section 207 Cr.P.C. The petitioner cannot make a wild goose chase and ask for entire documents. The expression entire documents is indeed very vague. In fact Section 207[v] Cr.P.C. states that if any document is voluminous, the petitioner/accused will be entitled only to inspect it, either personally or through Pleader. Under such circumstances, the prayer of the petitioner cannot be conceded. However, this Court directs the petitioner to appear before the trial Court within a period of two weeks from the date of receipt of a copy of this order and file an application for recalling the warrant and on such application being filed, the learned Magistrate shall pass orders in accordance with the law laid down by this Court in Pillappan @ Ravikumar Vs State rep. by Inspector of Police, West Police Station, Kumbakonam, Thanjavur District reported in 2018[2] MLJ [CRL] 502.

With the above direction, this petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1.Judicial Magistrate No.I,
Panruti, Cuddalore District.

2.The Inspector of Police,
Central Crime Branch,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.Arasuganesan, Advocate sr.no.54234

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