



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.9232 of 2016
and
CRL.M.P.(MD)No.4620 of 2016

S.Bhuvaneshwari

... Petitioner

-Vs-

State by The Inspector of Police,
District Crime Branch, Thanjavur.
(Crime No.21 of 2009)

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crl.R.C.No.1 of 2016 dated 10.03.2016 on the file Principal Sessions Judge, Thanjavur and set aside the same.

For Petitioner	: Mr.S.Saji Bino
For Respondent	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. Side)

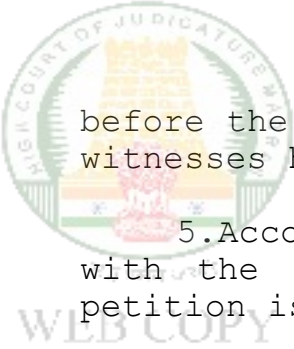
ORDER

This Criminal Original Petition has been filed by the petitioner challenging the order passed by the Court below in dismissing the petition filed by the petitioner to discharge him from the case.

2.The only ground that has been raised by the petitioner in the discharge petition is that he did not furnish with all the documents and the statement of all the witnesses as contemplated under Section 207 of Cr.P.C.

3.The learned Government Advocate (Crl. Side) would submit that totally 16 witnesses have been examined in this case out of 69 witnesses and the case is in mid way at the stage of trial.

4.In the facts and circumstances of the case, the petition filed by the petitioner for discharge is not sustainable. The petitioner can always file a petition seeking for the certified copies of all the documents as well as the statement of witnesses that were filed along with the final report and in which event, the Court below shall furnish the same to the petitioner. Except giving this direction, this Court does not deem it fit to entertain this petition for discharge. The petitioner can raise all the grounds



before the Court below, since the trial has already commenced and 16 witnesses have already been examined.

5. Accordingly, this Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Principal Sessions Judge, Thanjavur
2. The Judicial Magistrate, Kumbakonam.
3. The Inspector of Police,
District Crime Branch,
Thanjavur.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TM
TE/SKN/SAR-2 : 28/09/2018 : 2P/4C

CRL.O.P. (MD) No. 9232 of 2016
03.09.2018