



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.OP.(MD) No.12264 of 2018

Thirupathy

... Petitioner

Vs.

The Inspector of Police,
Madagupatti Police Station,
Sivagangai District.
(Cr.No.154 of 2011)

... Respondent

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, seeking a direction directing the learned Judicial Magistrate No.1, Sivagangai, to issue the copy of "B" Diary Extract to the petitioner.

For Petitioner : Mr.C.Ezhilarasu

For Respondent : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

Alleging that the learned Judicial Magistrate No.I, Sivagangai, instead of issuing the copy of "B" Diary extract pertaining to P.R.C.No.15 of 2013, has returned the petitioner's copy application in C.A.No.405/2018, the petitioner is before this Court seeking a direction to the learned Judicial Magistrate, to provide the said copy of "B" Diary Extract.

2. Heard Mr.C.Ezhilarasu, learned Counsel appearing for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor, who takes notice for the respondent.

3. Perusal of record shows that the petitioner's copy application was returned by the learned Judicial Magistrate No.I, Sivagangai, on 26.06.2018, stating that the application has to be filed with proper citation. Instead of re-presenting the application, as directed, the petitioner is before this Court.

4. In view of the same, the petitioner is hereby directed to re-present the papers, as directed by the learned Judicial Magistrate No.I, Sivagangai, within a period of two weeks from the date of receipt of a copy of this order. On such re-presentation, if it is in order, the learned Judicial Magistrate shall number and



consider the same, on merits and in accordance with law, as expeditiously as possible.

5. With the above direction, this criminal original petition is disposed of.

WEB COPY

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar(CS-II)

To

- 1.The Judicial Magistrate No.1,
Sivagangai.
- 2.The Inspector of Police,
Madagupatti Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
E.R. Section,
Madurai Bench of Madras High Court,
Madurai.

(to return the original papers, after taking necessary photostat, so as to enable the petitioner to re-present the same before the Court below.)

+1cc to Mr.C.Ezhilarasu, Advocate, SR.No.74153.

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19.07.2018

gk

RAM/SV/SAR 2/23.07.2018/2P/6C