

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3261 of 2016
in
Crl.M.P.No.1697 of 2016

G.Pasupathy

.. Petitioner

Vs.

M.Thiyagarajan

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order of the III Fast Track Court, Saidapet, Chennai - 15, dated 19.01.2016 in M.P.No.5339 of 2015 in C.C.No.5804 of 2006.

For Petitioner : M/s.N.Rajavadivelu

O R D E R

This petition has been filed challenging the order passed by the court below, dismissing the application filed under Section 91 of Cr.P.C., for a direction to the respondent to produce certain documents.

2. The petitioner is facing trial for an offence under Section 138 of the Negotiable Instrument Act. During the pendency of the trial, the petitioner filed a petition under Section 91 of Cr.P.C, calling upon the complainant to produce certain documents. The Court below after considering the facts and circumstances of the case dismissed the petition on the ground that the copies of most of the documents are available with the petitioner and there is no necessity to call upon the complainant to produce those documents. The Court below also took into consideration the fact that the case is pending from the year 2006 and the petition was filed in the year 2015 only with a view to drag on the proceedings.

3. This Court does not find any illegality or infirmity in the order passed by the Court below and there are no grounds to interfere with the same.

4. In the result this Criminal Original Petition is dismissed and the court below is directed to complete the proceedings in C.C.No.5804 of 2006, on the file of the III Fast Track Court, Saidapet, Chennai - 15, within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The III Metropolitan Magistrate,
The III Fast Track Court, Saidapet, Chennai - 15.
2. The Chief Metropolitan Magistrate,
Alandur, Chennai.

EV(CO)
CSL/02.07.2019

Cr1.O.P.No.3261 of 2016



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