

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2019

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.OP No.7252 of 2019 &
Crl.M.P.No.4010 of 2019

Abirami

..Petitioner/ Petitioner/Accused-I

Vs.

State rep. By
The Inspector of Police,
T-13. Kundrathur Police Station,
Kundrathur, Chennai-600 069,
Crime No.1101/2018.

..Respondent/Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and set aside the order dated 02.03.2019 of the learned District Judge, District Court II at Kanchipuram in Crl.M.P.No.623 of 2019 in S.C.No.77 of 2019 and direct the learned District Judge, District Court II, Kanchipuram to furnish 5 documents to the petitioner.

For Petitioner : Mr.J.B.Solomon Peter Kamaldoss

For Respondent : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This petition has been filed to call for the records and set aside the order dated 02.03.2019 of the learned District Judge, District Court II at Kanchipuram in Crl.M.P.No.623 of 2019 in S.C.No.77 of 2019 and direct the learned District Judge, District Court II, Kanchipuram to furnish 5 documents to the petitioner.

2.This Court passed the following order on 03.06.2019:

"Learned counsel for the petitioner has confined her relief to documents Nos.11, 12 and 13, found in the list of documents, that were sought for by the petitioner to defend herself during trial.

2.The order of the Court below indicates that document nos.11 and 12 are not available in Court bundle and in so far as document no.13 is concerned, which is a chemical analysis report, the same has not reached the Court. Learned counsel wanted the respondent police to take a specific stand as to whether they are relying upon these documents to substantiate the case of the prosecution.

3.Learned Government Advocate seeks time to take instructions in this regard.

4.Post this matter on 10.06.2019, under the same caption as of today, viz. 'adjourned admission'."

3.The learned Additional Public Prosecutor on instructions, submitted that document No.11 is not traceable and therefore, it is not filed before the Court below. Insofar as documents 12 and 13 are concerned, the prosecution has already moved an application before the Court below to file those documents. The learned counsel also submitted that a copy of both the documents will be given to the petitioner.

4.Recording the submissions of the learned Additional Public Prosecutor, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is also closed.
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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
T-13. Kundrathur Police Station,
Kundrathur, Chennai-600 069,

2.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.J.B.Solomon Peter Kamaldoss, Advocate, SR.No. 49081

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Kak (27/07/2019)