

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.10687 of 2019

A.Chinnasamy

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
Hudco Police Station,
Hosur, Krishnagiri District.

... 1st Respondent/Complainant

2. G.Selvaraj

... 2nd Respondent/Accused

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned Judge, Fast Track Mahila Court, Krishnagiri to permit the petitioner to mark the documents, which has been called for by the said Court in Crl.M.P.No.49 of 2016 in S.C.No.105 of 2013 by order dated 26.09.2017.

For Petitioner : Mr.R.Vijayaraghaven

For Respondents

For R1 : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the learned Judge, Fast Track Mahila Court, Krishnagiri to permit the petitioner to mark the documents, which has been called for by the said Court in Crl.M.P.No.49 of 2016 in S.C.No.105 of 2013 by order dated 26.09.2017.

2. It is seen that the petitioner is the father of the deceased and he has been shown as L.W.2 in S.C.No.105 of 2013 on the file of the Fast Track Mahila Court, Krishnagiri. In the said case, the petitioner filed a petition in Crl.M.P.49 of 2016, to call for the certain documents from the first respondent/police for the purpose of marking them as evidences. The learned Judge by an order dated 26.09.2017, allowed the said

petition and directed the respondent police to produce the said documents. However, the learned Judge observed that no purpose would be served and not entitled to mark the documents as evidences. Aggrieved over the said order, the petitioner filed this petition.

3. Considering the above facts and circumstances, this Court feels that when the trial Court allowed the petition and directed the first respondent/police to produce the documents, it is not proper to observe that those documents cannot be marked through L.W.2 as evidence. Therefore the trial Court viz., the Fast Track Mahila Court, Krishnagiri, is directed to permit the petitioner to mark the documents whatever produced by the respondent/police as evidence through L.W.2 before the trial Court.

4. With the above directions, this Criminal Original Petition stands disposed off.

Sd/-

Assistant Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Judge,
Fast Track Mahila Court,
Krishnagiri
2. The Inspector of Police,
Hudco Police Station,
Hosur, Krishnagiri District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Vijayaraghavan, Advocate, S.R.No. 39001

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KJ(CO)
GN(03/06/2019)