

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14098 of 2019
and
Crl.M.P.Nos.6839 & 6842 of 2019

A.Rajasekaran

... Petitioner

Vs.

The State,
Rep. by the Inspector of Police,
District Crime Branch,
Dharmapuri.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to set aside the order passed in Crl.M.P.No.6188 of 2016 in C.C.No.245 of 2013 dated 02.03.2019 on the file of the Judicial Magistrate No.II at Dharmapuri by allowing the present Criminal Original Petition.

For Petitioner : Mr.R.Jayaprakash

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

ORDER

This Petition has been filed challenging the order passed by the Court below in Crl.M.P.No.6188 of 2016, dated 02.03.2019, on the file of the learned Judicial Magistrate No.II, Dharmapuri, wherein the petition filed under Section 91 of Cr.P.C. has been dismissed.

2.The learned counsel for the petitioner submitted that even though the petitioner had sought for various call details of many police officers, the petitioner wants to confine himself only to those details pertaining to the investigating officer. The learned counsel further submitted that the petitioner must be permitted to call for these particulars at the relevant point of time during trial.

3.Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

4.This Court does not find any illegality or infirmity in the order passed by the Court below. However, taking into consideration the submissions made by the learned counsel appearing for the petitioner, it shall be open to the petitioner to call for the details regarding the investigating officer at the relevant point of time in order to ensure that the petitioner is given a fair opportunity to defend himself in the case.

5.This Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vs
To

1.The Judicial Magistrate No.II,
Dharmapuri.

2.The Inspector of Police,
District Crime Branch,
Dharmapuri.

3.The Public Prosecutor,
Madras High Court.

+1cc to Mr.R.Jayaprakash, Advocate Sr.42926

CrI.O.P.No.14098 of 2019
and
CrI.M.P.Nos.6839 & 6842 of 2019

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srg 19/07/2019