

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18501 of 2019

N.Veerappan

...Petitioner

Vs.

State: Represented by the
Inspector of Police,
Central Crime Branch,
Document Forgery Wing-Team 27
Vepery, Chennai-600 007.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the learned Metropolitan Magistrate for the Exclusive Trial of C.C.B (Relating to Cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai to issue the certified copies of statements of LW.18 (R.Meenatchisundaram) recorded under Section 161 and 164 of the Code of Criminal Procedure in C.C No.3221 of 2019 pending enquiry on its file.

For Petitioner :Mr.R.John Sathyan

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

O R D E R

This petition has been filed seeking for a direction to the Court below to issue the certified copy of the statement made by LW.18 (R.Meenatchisundaram) recorded under Section 161 and 164 of Cr.P.C.

2. The learned counsel for the petitioner submitted that the petitioner had earlier filed a copy application in C.A No.4201 of 2019 on 07.05.2019 seeking for the certified copy of the final report and the documents relied upon. The Court below was pleased to issue the certified copy of all the documents and the final report except the statement of LW.18. Therefore, the petitioner has filed a fresh copy application in C.A No.5191 of 2019 on 17.06.2018 seeking for the statement of L.W.18. The

Court below has returned the copy application and was not inclined to give the certified copy of the statement of L.W.18.

3. When the Court below has proceeded to furnish the certified copy of the entire documents filed along with the final report, it is not known as to why the Court below cannot give the statement of L.W.18 also to the petitioner. The Court cannot be giving certified copy on a piecemeal basis. Either it has to return as a whole or it has to furnish the entire documents. Therefore, this Court does not find any meaning in the Court below retaining the statement of L.W.18 and giving the certified copy of all the other documents.

4. In the facts and circumstances of the case, there shall be a direction to the Court below to furnish a certified copy of the statement of L.W.18 to the petitioner.

5. This Criminal Original Petition is disposed of accordingly.
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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Metropolitan Magistrate for the
Exclusive Trial of C.C.B.
(Relating to Cheating cases in Chennai)
and CBCID Metro Cases, Egmore, Chennai

2.The Inspector of Police,
Central Crime Branch,
Document Forgery Wing-Team 27
Vepery, Chennai-600 007.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.John Sathyam, Advocate, SR.No.59026

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Kak(15/07/2019)