

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.19646 of 2019

Khidar Ahmed

... Petitioner/Accused 1

Vs.

The Inspector of Police,
W.19, All Women Police Station,
Adyar, Chennai -20.
(Crime No.9 of 2013)

... Respondent/ Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate, Alandur to furnish the certified copies of the documents in copy Application No.1417 of 2019 as required by the petitioner on payment of cost in C.C.No.179 of 2015 pending on the file of the learned Judicial Magistrate, Alandur.

For Petitioner : Mr.V.Lakshmi Narayanan

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

ORDER

This Criminal Original Petition has been filed for a direction to the Court below to furnish the certified copies of the documents filed in C.C.No.179 of 2015.

2. The petitioner has been shown as A1 in the final report filed by the respondent police before the Court below. The dispute in question is a matrimonial dispute between the petitioner and the defacto complainant. The petitioner had compromised the dispute with the defacto complainant and therefore, wants to file a petition to quash the proceedings before this Court and therefore, requires the certified copies of the final report and the documents filed along with it. The Court below has returned the copy application on the ground that the petitioner is evading service and not appearing before the Court.

3. The learned counsel for the petitioner submitted that the petitioner is entitled for the certified copy of the documents as per rule 339 of the Criminal rules of practice. The learned counsel for the petitioner further submitted that since the matter itself is going to be settled between the parties, the Court below should have issued the certified copy of the documents.

4. Taking into consideration, the facts and circumstances of the case, there shall be a direction to the learned Judicial Magistrate, Alandur to issue a certified copy of the final report and the 161 statement recorded from the witnesses in C.C.No.179 of 2015, to enable the petitioner to approach this Court seeking for quashing the proceedings on the ground of compromise.

5. This Criminal Original Petition is disposed of, with the above directions.

msrm/rka

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Alandur.

2. The Inspector of Police,
W.19, All Women Police Station,
Adyar, Chennai -20.

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

+1cc to Mr.V.Lakshminarayanan, Advocate, SR.No.63431/19

CrI.O.P No.19646 of 2019

Kak (26/07/2019)