

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.O.P.No.31118 of 2019

K.Gopal

...Petitioner/Accused 6

Vs

The State Rep. by
The Inspector of Police,
Kannankurichi Police Station,
Kannankurichi, Salem.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to set aside the order dated 11.11.2019 passed in CMP No.692 of 2019 in S.C.No.491/2016 by the Additional District Judge No.III, Salem against the petitioner/accused-6 consequently recall the Non Bailable Warrant issued on 21.08.2019 in S.C.No.491 of 2016.

For Petitioner : Mr.J.Sudhakaran

For Respondent : Mrs.V.Saratha Devi
Government Advocate (Crl. Side)

O R D E R

The petitioner's application under Section 317 Cr.P.C came to be rejected, on the ground that the petitioner has produced only a web copy of the stay granted by this Court in Crl.O.P.No.24679 of 2019.

2. This Court, by an order dated 08.01.2019 in W.P.No.5 of 2019, had observed as follows:

12.It is clarified that the authorities concerned cannot reject or refuse the printed copy of the downloaded orders / judgments communicated by the respective learned counsels. All concerned officials are directed to acknowledge all such orders / judgments and act accordingly. In the event of any violation in this regard, the persons aggrieved are at liberty to approach the Court

by filing an appropriate application for violation of the Court orders / judgments.

13. In this view of the matter, the Registry, High Court of Madras also shall ensure that the orders / judgments signed by the Hon'ble Judges shall be uploaded in the official website immediately and without any delay.

14. The copy of this order is directed to be communicated to the Chief Secretary to Government of Tamil Nadu, Fort St. George, Chennai - 600 009, who in turn is directed to issue a circular to all the Departments/ Subordinates officials to ensure that the attested downloaded order / judgment copies received by them shall be responded properly and the officials concerned shall act based on the attested copies by verifying the same with the official website of the Hon'ble High Court of Madras in www.hcmadras.tn.nic.in

15. The Registrar General, High Court of Madras is also directed to issue a circular / suitable instructions to all the Subordinate Courts and the officials to follow the said procedure in respect of the orders / judgements passed by the Hon'ble High Court of Madras."

3. In the light of the above pronouncement, the Trial Court was not justified in rejecting the petitioner's application under Section 317, on the ground that the web copy alone was produced.

4. In view of the aforesaid observation, the order dated 11.11.2019 passed in CMP No.692 of 2019 in S.C.No.491/2016 passed by the learned Additional District Judge No.III, Salem, is set aside. The Trial Court shall take further course of action and accept the web copy of the order passed in CrI.O.P.No.24679 of 2019 dated 13.09.2019.

5. The Criminal Original Petition stands disposed of accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Additional District Judge No.III,
Salem.

2.The Inspector of Police,
Kannankurichi Police Station,
Kannakrichi, Salem.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.J.Sudhakaran, Advocate Sr.95936

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