

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2020

C O R A M

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

Criminal Revision Case No.1305 of 2019

Ruban

.. Petitioner

Vs

State by Inspector of Police,
All Women Police Station,
Villivakkam,
Chennai.

.. Respondent

Criminal Revision Case is filed under Section 397 read with 401 of Cr.P.C. seeking to set aside the order dated 11.11.2019 passed in CrI.M.P.No.24043/2019 in S.C.No.212 of 2019 on the file of the Sessions Judge, Mahalir Needhi Mandram, Chennai.

For petitioner Mr.C.Rajan
For Respondent Mr.K.Prabakar, Addl. P.P.

O R D E R

The Criminal Revision Case is filed seeking to set aside the order dated 11.11.2019 passed in CrI.M.P.No.24043/2019 in S.C.No.212 of 2019 by the learned Sessions Judge, Mahila Court, Chennai.

2. The petitioner is an accused in S.C.No.212/2019 on the file of the learned Sessions Judge, Mahila Court, Chennai for an offence under Section 6 of POCSO Act, 2012. He filed CrI.M.P.No.24043/2019 in S.C.No.212/2019 under Section 207 of Cr.P.C. seeking to direct the complainant to furnish the copies of the medical certificates pertaining to him and the victim girl. The same was dismissed by the learned Sessions Judge by order dated 11.11.2019 which is extracted here under:

'2. Heard. This petition is filed u/s.207 Cr.P.C. by stating that the copies of the medical certificate pertaining to the victim girl and the accused were not furnished to the petitioner. Copies to this petition has been furnished to him as early as on 18.07.2019 and thereafter the case was posted for opening u/s.226 Cr.P.C. and the charges were framed

against the accused on 29.08.2019. During these proceedings the accused did not raise any objection that he was not furnished with the copies of certain documents. On 18.07.2019 itself, Mr.S.P.Meenakshi Sundaram along with two other counsels has filed memo of appearance for the petitioner. But no complaint is made that some of the documents are not furnished to the accused. Now the case is ripe for trial. At the stage, the court cannot comply the earlier proceedings which were already over with an acceptance that copies were duly served.

3. If the petitioner is need of any more documents, he can file copy application and get the copies of the same. At this stage, this petition cannot be entertained. Consequently, the petition is rejected as not maintainable''

3. I find no illegality or infirmity in the order passed by the learned Sessions Judge, Mahila Court, Chennai. As rightly held by the trial court, if the petitioner is in need of any documents, he can very well file a Copy Application before the trial court and get the copies of the same. Without doing so, the petitioner cannot approach this Court by way of filing the present Revision. Therefore, the Criminal Revision Case is dismissed as not maintainable.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Sessions Judge, Mahalir Needhi Mandram, Chennai.

2.The Inspector of Police,
All Women Police Station,
Villivakkam,
Chennai.

Cr1.R.C.1305 of 2019

RR(CO)
SP(26/02/2020)