

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.07.2020
CORAM
THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.34380 of 2019

P.Sashi Kumar
S/o.P.Srinivasulu
No.53/27, Chengalvarayan Street,
Triplicane, Chennai-600 005.

... Petitioner

- Vs. -

1. The Inspector of Police,
Forged Documents Division,
Central Crime Branch-V,
Vepery, Chennai-600 007.
2. State Bank of India
Stressed Assets Recovery Branch,
Represented by its Chief Manager,
"Red Cross Buildings",
Montieth Road, Egmore,
Chennai-600 008.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent bank to collect the original documents in connection with O.A.No.196 of 2017 from the Debts Recovery Tribunal-I, Chennai and assist the first respondent for obtaining forensic and expert opinion in order to enable the first respondent to file a final report in CCB.Cr.No.139 of 2018.

For Petitioner : No Appearance

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor for R1
Ms.S.R.Sumathy for R2

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O R D E R

This petition has been filed seeking a direction to the second respondent to assist the first respondent for conducting investigation in Crime No.139 of 2018.

2. The learned Additional Public Prosecutor appearing for the first respondent submitted that on receipt of the complaint lodged by the petitioner as against the accused persons, a case has been registered in Crime No.139 of 2018 for the offences under Sections 420, 465, 467, 468, 471 and 120(B) of IPC on 18.04.2018. The related original documents are available with records in OA.No.196 of 2017, which is pending on the file of Debts Recovery Tribunal-I, Chennai. In this regard, the first respondent also issued a letter dated 14.05.2018 to the Debt Recovery Tribunal-I, Chennai, asking for the original documents in connection with OA.No.196 of 2017 for the purpose of investigation in pursuant to the FIR registered in Crime No.139 of 2018. Only because of that, the investigation is pending in Crime No.138 of 2018.

3. Considering the above facts and circumstances of the case, the Debt Recovery Tribunal-I, Chennai is directed to furnish the original documents, which are sought for by the first respondent for the purpose of investigation in Crime No.139 of 2018, within a period of two (2) weeks from the date of receipt of a copy of this order, after taking photocopies of the original documents certified by the first respondent herein. Thereafter, the first respondent is directed to complete the investigation, within a period of eight (8) weeks from the date of receipt of the original documents from the Debts Recovery Tribunal-I, Chennai in OA.No.196 of 2017 and thereafter, the first respondent is directed to return the original documents to the Debts Recovery Tribunal-I, Chennai.

4. With the above directions, this Criminal Original Petition is disposed of.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

kmi

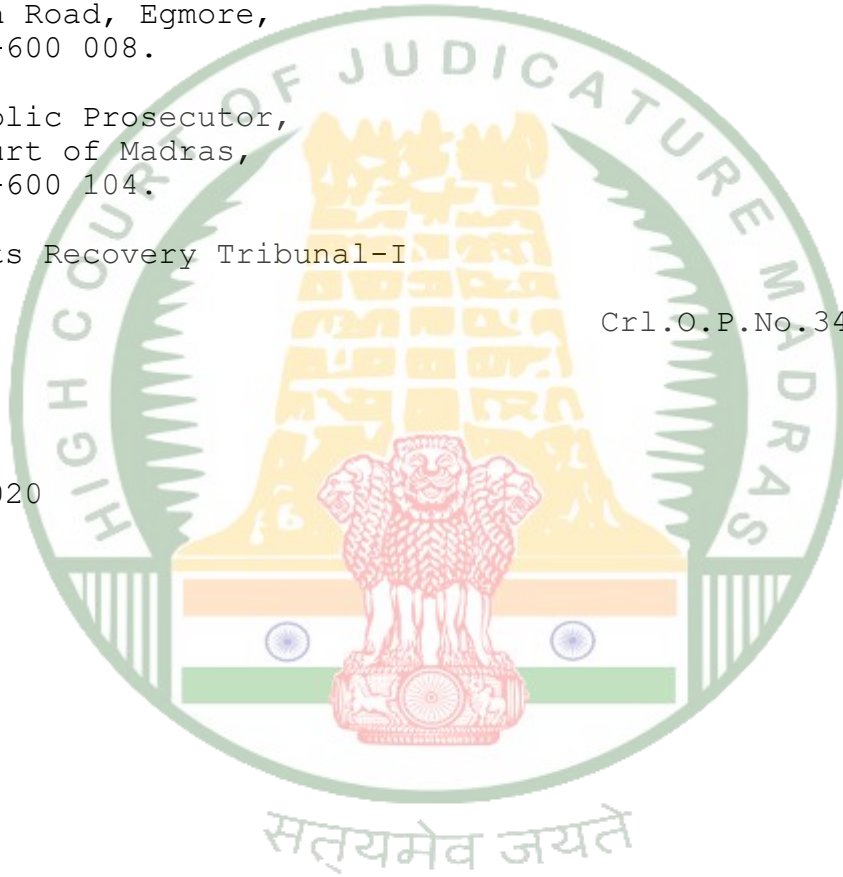
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To

1. The Inspector of Police,
Forged Documents Division,
Central Crime Branch-V,
Vepery, Chennai-600 007.
2. The Chief Manager,
State Bank of India
Stressed Assets Recovery Branch,
"Red Cross Buildings",
Montieth Road, Egmore,
Chennai-600 008.
3. The Public Prosecutor,
High Court of Madras,
Chennai-600 104.
4. The Debts Recovery Tribunal-I
Chennai

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