



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2021

CORAM:

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

Crl.O.P.(MD)No.725 of 2021

P.Jaya Chandran

...Petitioner/Applicant

/Vs./

The State represented by
The Sub-Inspector of Police,
District Crime Branch,
Dindigul District.
(Crime No.36 of 2019)

...Respondent/Respondent

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the return endorsement dated 09.12.2020 in Copy Application No.196/2020 on the file of the learned Judicial Magistrate No.II, Dindigul and direct the learned Judicial Magistrate No.II, Dindigul to furnish the certified copies in Copy Application No.196 of 2020.

For Petitioner
For Respondent

: Mr.G.Magesh Kumar
: Mr.A.Robinson
Government Advocate (Criminal Side)

ORDER

This petition is filed seeking for a direction to the learned Judicial Magistrate No.II, Dindigul, to furnish the certified copies mentioned in Copy Application No.196 of 2020.

2.The main grievance of Mr.G.Magesh Kumar, learned counsel for the petitioner is that the petitioner filed Copy Application No.196 of 2020 seeking to get certified copies of the complaint in Crime No.36 of 2019, First Information Report in Crime No.36 of 2019, final report in C.C.No.299 of 2020, Statements of the witnesses under Section 161 (3) of the Code of Criminal Procedure and all other records in C.C.No.299 of 2019 was returned by the Judicial Magistrate No.II, Dindigul, contending that the petitioner should appear before the Court and then get the copies under Section 207 of the Code of Criminal Procedure.

3.The learned counsel for the petitioner contended that the petitioner is in need of the documents for quashing the entire proceedings in C.C.No.299 of 2020 and therefore, the return endorsement made by the Judicial Magistrate No.II, Dindigul, dated 09.12.2020 is liable to be set aside.

4.The petitioner is an accused in C.C.No.299 of 2020 and he is entitled to get copies of documents under Section 207 of the Code of Criminal Procedure. However, the petitioner wants the documents,



even before the appearance before the Court.

5.In such circumstances, there is no impediment for the Judicial Magistrate No.II, Dindigul, to furnish the copies of records as prayed for by the petitioner. Therefore, the Judicial Magistrate No.II, Dindigul, is directed to furnish copies of records mentioned in Copy Application No.196 of 2020, within a period of one week from the date of receipt of a copy of this order/uploading of this order.

6.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate No.II, Dindigul.
- 2.The Sub-Inspector of Police,
District Crime Branch, Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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NA(CO)
KB(17.04.2021) 2P 4C