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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.23049 OF 2017

AND

CRL.M.P.NOS.13409 AND 13410 OF 2017

R.Subramanian

...Petitioner/2nd Accused

Versus

The Registrar of Companies,
Having Office at
Shastri Bhavan,
26, Haddows Road,
Chennai 600 006.

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order dated 07.02.2017 passed in Crl.M.P.No.3177 of 2016 in E.O.C.C.No.1 of 2015 on the file of the Addl.Chief Metropolitan Magistrate (E.O.I), Egmore, Chennai.

For Petitioner : Mr.R.Subramanian(party-in-person)

For Respondent : Dr.D.Simon
Central Government Standing Counsel

O R D E R

This Criminal Original petition has been filed to set aside the order dated 07.02.2017 passed in Crl.M.P.No.3177 of 2016 in E.O.C.C.No.1 of 2015 by the Addl.Chief Metropolitan Magistrate (E.O.I), Egmore, Chennai dismissing the petition filed under Section 91 of Cr.P.C for sending certain documents particularly reply to the show cause notice issued by the respondent.

2. The crux of the allegation is that learned magistrate has dismissed the petition mainly on the ground that the petitioner sought to summon his own documents. Hence, no order was passed



directing the Registrar of Companies to produce the file containing all documents and reply to the show cause notice sent by A1. Aggrieved over the same, the petitioner/A2 has filed this petition.

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3. Heard Mr.R.Subramanian, the petitioner (party in person) submitted that though various other files also sought to be summoned in general, now he is confined only with regard to the reply notice. It is his contention that a copy of the reply notice sent by him is lost in his custody. Therefore, the same is required to establish this case. Therefore, he has confined his submission only with regard to the production of copy of the reply to the show cause notice issued to him by the department.

4. Mr.D.Simon, learned Central Government Standing Counsel submitted that they are ready to give the copy to the petitioner.

5. In such view of the matter there is no direction need to be issued. However, the petitioner shall apply to the copy to the concerned department. On such application is made, the respondent is directed to issue a xerox copy of the reply notice sent by the petitioner duly certified by the department within a period of 10 days after receipt the application filed by the petitioner.

6. Accordingly, this Criminal Original Petition is disposed of. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

msv

To

1. The Addl. Chief Metropolitan Magistrate (E.O.I),
Egmore, Chennai.
2. The Registrar of Companies,
Having Office at Shastri Bhavan,
26, Haddows Road,
Chennai 600 006.

+1cc to Dr.D.Simon, Central Government Standing Counsel,
S.R.No.3595

Crl.O.P.No.23049 of 2017
and Crl.M.P.Nos.13409 and 13410 of 2017

GPL(CO)

RLP(08/02/2022)