



Crl.O.P.No.9847 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 9847 of 2023

S. Senthilkumar

...Petitioner

Vs.

1. N. Sekar

2. N. Krishnan

3. Subramaniam

4. P. Venugopal

5. State by Inspector of Police,
CBCID Namakkal,
Namakkal District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the returned docket order dated 17.03.2023 made in Copy application No.68 of 2023 in C.M.P.No.5053 of 2022 in C.C.No.540 of 2022 on the file of the Judicial Magistrate No.1 Salem and direct the Court to issue the copies sought for and pass orders.

For Petitioner : Mr.P.R. BalaSubramanian



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For Respondent : Mr.S. Santhosh
Govt. Advocate(Crl Side)

ORDER

This petition has been filed to set aside the returned docket order dated 17.03.2023 made in Copy application No.68 of 2023 in C.M.P.No.5053 of 2022 in C.C.No.540 of 2022 on the file of the Judicial Magistrate No.1 Salem and direct the Court to issue the copies sought for.

2. The learned counsel for the petitioner submitted that the petitioner has filed a copy application for the certified copies of the documents pertaining to C.M.P.No.5053 of 2022. The copy application was numbered as 68 of 2023. However, the learned Judicial Magistrate refused to issue copies and finally on 23.03.2023 the copy of the application was returned as “ unmarked Documents cannot be provided”. Hence he prays this Court to issue copies sought for by the petitioner and pass orders.

3. Considering the facts of the case, this Court is of the view that



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there is no infirmity in the order passed by the learned Trial Judge in refusing to issue the copies. Accordingly, this petition is dismissed. However the petitioner is at liberty to get the copies after the documents were marked by the Court below. The learned Judge is directed to dispose of the C.M.P within a period of 3 months from the date of the receipt of a copy of this order.

04.05.2023

Internet: Yes
Index: Yes/No
Speaking/non-speaking order
smn

To

1. The Inspector of Police,
CBCID Namakkal,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

smn

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