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Crl.O.P.No.13847 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.13847 of 2023

M.Rahul

... Petitioner

Vs.

The State rep. By
The Inspector of Police
J4, Kotturpuram Police Station,
Chennai – 600 035.
(Crime No.1083 of 2017)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the IX Metropolitan Magistrate Court, Saidapet, to issue certified copies (2 nos.) of the suicide note dated 15.09.2019 as stated above to the petitioner to enable the petitioner to submit the said document in the courts concerned for the case purpose.

For Petitioner : Mr.K.M.Subramaniam

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate
(Criminal side)

ORDER

This Criminal Original Petition has been filed to direct the IX Metropolitan Magistrate Court, Saidapet, to issue certified copies (2 nos.) of



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the suicide note dated 15.09.2019 as stated above to the petitioner to enable the petitioner to submit the said document in the courts concerned for the case purpose.

2.The learned counsel for the petitioner submitted that petitioner applied for copies of suicide note written by petitioner's father A.S.Mohan Kumar. However, the copies of this suicide note was returned for the reason that *“As per the rules of practice 231 (3) certified copies of photocopies of unmarked document could not be given. Hence, this petition may be returned”*.

3.This Court finds that return of copy application is not correct way to disposing the petition. If the learned IX Metropolitan Magistrate Judge, Saidapet, is of that petitioner is not entitled for the copies of suicide note, petitioner's petition should have been dismissed. If it is otherwise, petition should have been allowed. Therefore, return endorsement in P.R.C.No.99 of 2019 is set aside. The learned IX Metropolitan Magistrate Court, Saidapet, is directed to pass appropriate orders on the copy application either allowing or dismissing the petition in the manner known to law.



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4. Accordingly, this Criminal Original Petition is disposed.

22.06.2023

Internet: Yes
Index: Yes/No
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To

The Inspector of Police
J4, Kotturpuram Police Station,
Chennai – 600 035.



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G.CHANDRASEKHARAN, J.

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