



WEB COPY

CrI.OP No.22760 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-10-2023

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

CrI. OP No.22760 of 2023

N.Dharmarajan

... Petitioner/Accused No.1

Vs.

State Represented by
Inspector of Police,
Perambalur All Women Police Station,
Perambalur,
(Crime No.54 of 2022)

... Respondent/Complainant

Prayer: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Mahila Judge, Perambalur to furnish the Final Report along with the relied documents of 164 statement in Special S.C.No.51 of 2023 pending on the file of the learned Sessions Mahila Judge, Perambalur.

For Petitioner : No Appearance

For Respondent : Mr.S.Udaya Kumar,
Government Advocate
(Criminal Side).



ORDER

The petitioner herein, who is the first accused in Special SC No.51 of 2023, had made a copy application before the Sessions Mahila Court, Perambalur, seeking the following documents:-

- (1) Complaint – 2 copies
- (2) FIR – 2 copies
- (3) 161 (3) statement – 2 copies
- (4) 164 statement – 2 copies
- (5) Chargesheet – 2 copies

2. The Sessions Mahila Court, Perambalur had returned the copy application stating that the 164 statement was not complete when five different documents were sought for including the 164 statement. The application being returned saying that the 164 statement was not complete.

3. From the understanding of this Court, it appears that the Trial Court did not hear about which witness has given statement under Section 164 of the Code of Criminal Procedure and since the description of documents sought for was not heard, it has returned the copy application in



toto. As an accused, the petitioner is entitled for certified copy of the documents relied on by the prosecution. Therefore, the petition seeking the documents related to the case pending, is allowed.

4. The petitioner herein is directed to make fresh application with more details and description of the documents sought for. If the documents sought for are relied on by the prosecution and form part of the Final Report, the Sessions Court shall furnish the certified copy by collecting necessary stamp charges.

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

12-10-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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Crl.OP No.22760 of 2

DR.G.JAYACHANDRAN, J.

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To

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- 1.The Sessions Mahila Judge,
Perambalur
- 2.Inspector of Police,
Perambalur All Women Police Station,
Perambalur,
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

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