



Crl.O.P(MD).No.5242 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.06.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R.THARANI

Crl.O.P(MD).No.5242 of 2021

and

Crl.M.P.(MD)No.3030 of 2021

E.Pandiyarajan

...Petitioner

Vs

1.State rep. By the Inspector of Police,
District Crime Branch,
Dindigul District.

2.N.Ranjan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to call for the records vide. C.C.No.64 of 2015 pending on the file of the Judicial Magistrate No.II, Dindigul and to quash the same against the petitioner.

For Petitioners

: Mr.G.M.Xavier

For 1st Respondent

: Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This petition is filed to quash the charge sheet in C.C.No.64 of 2015, on the file of the learned Judicial Magistrate No.II, Dindigul.



Crl.O.P(MD).No.5242 of 2021

2.On the side of the petitioner, it is stated that the petitioner needs some document for proving his innocence. The petitioner has filed an emergency copy application and that application was returned by the trial Court wherein it is mentioned that those documents were not produced before the trial Court. Since the petitioner could not get certified copies of the relevant copies, the case in C.C.No.64 of 2015 on the file of the Judicial Magistrate No.II, Dindigul is to be quashed.

3.On the side of the prosecution, it is stated that the case is of the year 2004. The case was taken on file in the year 2015. All the documents relied on by the prosecution was already furnished to the petitioner and the case was posted for trial and that there is no merits in this petition.

4.A perusal of the records reveals that the petitioner has sought for some document from the Court, which are not filed before the Court by the prosecution. Returning a copy application for non availability of the document sought for by the petitioner is not a ground for questioning the proceedings. The petitioner is at liberty to file a petition under Section 91 of Cr.P.C., for sent for document from the relevant department.



CrI.O.P(MD).No.5242 of 2021

5.With the above observation, this Criminal Original Petition is

dismissed. Consequently, connected miscellaneous petition is closed.

09.06.2023

NCC : Yes/No

Internet : Yes/No

Index : Yes/No

Mrn

To

1.The Judicial Magistrate No.II, Dindigul.

2.The Inspector of Police,
District Crime Branch,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD).No.5242 of 2021

R. THARANI,J.

Mrn

Crl.O.P(MD).No.5242 of 2021

09.06.2023