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CrI.O.P.(MD)No.22551 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.12.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.22551 of 2023

Kasi

... Petitioner/Single Accused

Vs.

The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(Crime No.51 of 2015)

... Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records pertaining to the docket order passed by Learned Judicial Magistrate, Vadipatti, in copy application No.717/2023 in CC.No.531/2017dt.17.10.2023 and set aside the same and direct the Learned Judicial Magistrate, Vadipatti, to furnish copies of Judgment and Depositions in C.C.No.531 of 2017 to the petitioner.

For petitioner : Mr.A.Mohamed Hashim

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to set aside the docket order passed by



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Learned Judicial Magistrate, Vadipatti, in copy application No.717/2023 in CC.No.531/2017dt.17.10.2023 and to direct the Learned Judicial Magistrate, Vadipatti, to furnish copies of Judgment and Depositions in C.C.No.531 of 2017 to the petitioner.

2.The petitioner is the sole accused before the trial Court in C.C.No.531 of 2017, who was convicted by the Judgment dated 29.09.2023. Since he was absent on that day, non bailable warrant was issued against him and the same is pending. In the meantime, he filed copy application seeking copy of the judgment and depositions. A return order has been passed by the trial Court stating that since warrant has been pending against this petitioner, he is not entitled for copy of the Judgment. This Court is not in position to understand the stand of the trial court. Whether warrant has been issued or not, it is the right of the petitioner, which is also basic to the convicted to get copy of the judgment. So the order passed by the trial Court is absolutely illegal.

3.On that ground, the above said docket order passed in Copy Application No.717 of 2023 dated 17.10.2023, by the learned Judicial Magistrate, Vadipatti, is hereby set aside. There shall be a direction to the trial Court to issue copy of the judgment and depositions immediately



CrI.O.P.(MD)No.22551 of 2023

to the petitioner on proper application. Compliance report must be sent to the Registry.

4. With the above said directions, this criminal original petition stands disposed of.

14.12.2023

Index : Yes/No

Internet : Yes/No

TM

Note: Issue order copy on 18.12.2023.

To

1. The Judicial Magistrate, Vadipatti.
2. The Inspector of Police,
Alanganallur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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