



WEB COPY



CRL.O.P.No.23817 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.10.2024

CORAM : MR. JUSTICE N.SESHASAYEE

CRL.O.P.No.23817 of 2024

H.Navya

... Petitioner

Vs.

State Rep. by the Inspector of Police
Deputy Superintendent of Police
SPE/CBI/ACB
Sasthri Bhavan, Nungambakkam
Chennai 600 006
(R.C.No.45(A) /2015)

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS Act, 2023, to set aside the order dated 21.06.2024 made in CrI.M.P.No.4013 of 2023 in C.C.No.9 of 2017, on the file of the learned XI Additional Special Judge for C.B.I. Cases (C.B.I. Cases relating to Banks and Financial Institutions) Chennai and consequently direct the trial Court to issue summon to the Branch Manager of Oriental Bank of Commerce, Adyar Branch, Chennai to cause production of the original documents as prayed.

For Petitioner : Mr.S.Anbalagan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (C.B.I.)



CRL.O.P.No.23817 of 2024

WEB COPY

ORDER

This petition is preferred challenging an order passed by the XI Additional Special Judge for C.B.I. Cases (C.B.I. Cases relating to Banks and Financial Institutions), Chennai, dismissing petitioner's application in CrI.M.P.No.4013 of 2023 filed U/s.91 Cr.P.C. for summoning certain documents.

2.Mr.K.Srinivasan, the learned Special Public Prosecutor (C.B.I) has entered appearance for the respondent. Heard both Sides.

3.The learned prosecutor submitted that P.W.1 alone has been examined, and it is a too premature stage to ascertain whether the documents which are required by the petitioner must be considered as necessary and desirable within the meaning of Section 91 Cr.P.C.

4.This Court finds merit in the statement and hence it chooses not to entertain this petition now, but reserving right to the petitioner to approach the trial Court at the appropriate stage of the trial with his prayer for summoning such documents which he considers as necessary and desirable



CRL.O.P.No.23817 of 2024

to defend the charge against her.

WEB COPY

5. Subject to the observation herein made, the above Criminal Original
Petition stands disposed of.

19.10.2024

kas

Index : Yes / No

Neutral Citation

To

1. The Inspector of Police
Deputy Superintendent of Police
SPE/CBI/ACB
Sasthri Bhavan, Nungambakkam
Chennai 600 006
(R.C.No.45(A) /2015)

2. XI Additional Special Judge
for C.B.I. Cases (C.B.I. Cases relating
to Banks and Financial Institutions)
Chennai

3. The Public Prosecutor
C.B.I. Cases
High Court of Madras
Chennai

N.SESHASAYEE, J.



WEB COPY



CRL.O.P.No.23817 of 2024

kas

CRL.O.P.No.23817 of 2024

19.10.2024