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Crl.O.P.No.8054 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.8054 of 2025
and Crl.M.P.No.5213 of 2025

Abirami

... Petitioner

Vs

State Rep By
Inspector of Police,
T-13, Kundrathur Police Station,
Kundrathur, Chennai-600 069,
(Crime No.1101 of 2018)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/Section 528 of BNSS, 2023, to call for the records in M.P.No.1 of 2024 in S.C.No.77 of 2018, on the Principal District and Sessions Court, Kanchipuram, and set-aside the impugned order dated 03.03.2025.

For Petitioner : Mr.G.Krishnamurthy

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

This petition has been filed to set aside the impugned order dated 03.03.2025 in M.P.No.1 of 2024 in S.C.No.77 of 2018, on the file of the Principal District and Sessions Court, Kanchipuram, thereby



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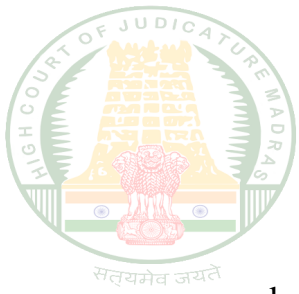
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dismissing the application filed by the petitioner for production of general diary dated 29.12.2023, 11.12.2023 and 08.12.2023.

2. Heard both sides and perused the materials placed on record.

3. The petitioner is an accused in SC.No.77 of 2018 and facing charges for the offences under Sections 120B, 109 and 302 IPC. It is a case of double murder. The respondent had so far examined PWs.1 to 22. At that juncture, the respondent filed an application under Section 178(8) of Cr.P.C for further investigation and the same was allowed by the Trial Court and the respondent had examined four witnesses and filed a supplementary charge sheet.

4. Thereafter, the petitioner was served with all the statements recorded from further witnesses and complied with the provisions under Section 207 of Cr.P.C. Though the respondent had examined four additional witnesses, they had examined only two witnesses before the Trial Court as PWs.23 and 24. However, the petitioner did not cross examine them and filed an application under Section 91 of Cr.P.C for



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production of general diary pertaining to investigation details of those persons.

5. Admittedly, the petitioner was served with all the statements recorded from the witnesses who were later examined as PWs.23 and 24. Further, the petitioner has not specified the purpose for which the production of the general diary is sought. Once the petitioner has been served with the statements of witnesses recorded under 161(3) of Cr.P.C, the petitioner is not entitled for production of the general diary.

6. In view of the above, the Trial Court had rightly dismissed the application filed by the petitioner and this Court finds no infirmity or illegality in the order passed by the Trial Court. The Trial Court is directed to complete the Trial in SC.No.77 of 2018, within a period of three months from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous petition is closed.



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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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To

1. The Principal District and Sessions Court, Kanchipuram.
2. The Inspector of Police,
T-13, Kundrathur Police Station,
Kundrathur, Chennai-600 069.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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