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CrI.OP.No.34075 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.OP.No.34075 of 2025

Dinesh Dalmia

...Petitioner

Vs.

M.O.Roy,
Assistant Director, SFIO,
Ministry of Company Affairs, Govt. of India,
II Floor, Paryavaran Bhavan, CGO Complex,
Lodhi Road, New Delhi – 110 003.

...Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023 to set aside the returned docket order dated 25.10.2025 made in C.A.No.11196 of 2025 in EOCC No.110 of 2006 on the file of ACMM, EO-1, Egmore, Chennai, now known as Special Judge, EO-1, Egmore and direct the trial court to provide certified copy of the adjudication proceedings in above EOCC.No.110 of 2006 from 29.08.2006 to 15.10.2025 before the Commencement of arguments.

For Petitioner : Mr.C.S.S.Pillai



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ORDER

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This criminal original petition has been filed seeking quashment of the docket order (return) dated 25.10.2025 made in C.A.No.11196 of 2025 in EOCC No.110 of 2006 on the file of ACMM, EO-1, Egmore, Chennai, now known as Special Judge, EO-1, Egmore, Chennai and to consequently, direct the trial court to provide certified copy of the adjudication proceedings in above EOCC.No.110 of 2006 from 29.08.2006 to 15.10.2025.

2. The brief facts are as follows:

The petitioner is an accused facing trial in CC No.110 of 2006 for the offence under Section 205(A)(5) of the Companies Act, 1956 and the same is pending for the past about two decades. Aggrieved by the said inordinate pendency, the petitioner filed a copy application under Section 209 of Criminal Rules of Practice, 2019 in C.A.No.11196 of 2025, seeking documents such as, adjudication in the above CC from 29.08.2006 to 15.10.2025, certified copy of the complaint, deposition of P.W.1 & 2, charge under Section 251 Cr.P.C. and Section 313 Cr.P.C. questioning, in order to get the matter listed before the Dedicated Bench of this Court, which was constituted for implementing the pilot project to identify and dispose of

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criminal cases involving offences punishable with imprisonment up to three years pending trial, appeal or revision stage for more three years, on the ground of delay in conducting the trial and the period of remand undergone by the petitioner. However, the learned Special Judge, EO-1, Egmore, Chennai, vide docket order dated 25.10.2025, returned the said application in C.A.No.11196 of 2025 holding that the trial has already commenced and the same is at part heard stage. Challenging the same, the present petition has been filed.

3. Heard both sides and perused the materials available on record.

4. Though very many grounds have been raised by the learned counsel for the petitioner, at the time of arguments, it was brought to the notice of this Court that the Dedicated Bench is not functioning for the present. In such circumstances, nothing survives for further adjudication and the petitioner has to necessarily get along with the trial.

5. At this juncture, the learned counsel for the petitioner submitted that, it would suffice, if this Court permits the petitioner to get back the said



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documents from the Trial Court for the purpose of arguments and therefore, liberty may be granted to the petitioner to file a fresh application citing the other reasons, seeking the necessary documents such as, Adjudication, certified copy of the complaint, deposition of P.Ws.1 & 2, charge under Section 251 Cr.P.C., Section 313 Cr.P.C. questioning, etc.

6. Considering the facts and circumstances of the case and also considering the fact that the case is of the year 2006, this Court, without going into the merits of the case and without interfering with the order impugned, grants liberty to the petitioner to file a fresh copy application seeking certified copies of the necessary documents. Upon filing of such application, the learned Special Judge, EO-1, Egmore, Chennai, shall consider the same and pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

7. With the above directions and observations, this criminal original petition stands disposed of.

15.12.2025

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NCC : Yes/No
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To:

The ACMM, EO-1, Egmore, Chennai/
Special Judge, EO-1, Egmore, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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