



WEB COPY

CRL OP No. 6722 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 6722 of 2024

State Represented By
Inspector of Police,
Central Bureau of Investigation,
Anti-corruption Branch,
Shastri Bhavan,
Nungambakkam, Chennai - 600 006.

..Petitioner

Vs

Shri Alex C Joseph

..Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 10.10.2023 in Crl.M.P.No.5935 of 2023 in CC No.37 of 2015, passed by the Learned XIV Additional Special Judge for CBI Cases, Chennai.

For Petitioner:

Mr.R.Sidharth

For Respondent:

Mr.N.Baskaran,

Special Public Prosecutor (CBI Cases)

ORDER

This Criminal Original Petition has been filed challenging the order dated 10.10.2023 passed in Crl.M.P.No.5935 of 2023 in C.C.No.37 of 2015 on the file of the XIV Additional Special Judge for CBI Cases, Chennai, thereby allowing the petition filed by the respondent seeking certain documents under Section 91 of the Criminal Procedure Code.



2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. A perusal of the records reveals that the respondent is one of the named accused in Crime No.RC.12(A)/2013. There are totally seven accused, in which the first accused is a public servant. During the course of investigation, the petitioner herein sought sanction for prosecuting the first accused in the FIR. However, the Sanctioning Authority did not accord any sanction to prosecute the first accused. Thereafter, the petitioner filed a final report as against the other accused persons. Now, the respondent and others are facing trial before the Trial Court in which, the prosecution had already examined P.W.1 to P.W.24 and the Investigating Officer alone remains to be examined.

4. The learned Special Public Prosecutor (CBI Cases) appearing for the petitioner submitted that the order dated 19.01.2017 rejecting the request for sanction to prosecute the first accused has no way connected to the respondent's case. Since the request made by the petitioner seeking sanction to prosecute the first accused was rejected, the same is nothing to do with the issues involved in the present case.



WEB COPY

5. The learned counsel appearing for the respondent submitted that the documents sought to be produced are very much relevant for the purpose of cross examining the witnesses, as they pertain to the very same set of allegations involved in the present case. The Sanctioning Authority did not accord the sanction to prosecute the first accused on the ground that there were no materials available as against him. Therefore, in that line, the respondent is entitled to rely upon the said documents while cross examining the witnesses. In such circumstances, the Trial Court rightly allowed the petition filed by the respondent under Section 91 of Cr.P.C and directed the petitioner herein to produce the documents pertaining to File No.C-14011/63/16-AD Government of India, Ministry of Finance, Department of Revenue, Central Board of Excise and Customs.

6. In view of the above, this Court finds no infirmity or illegality in the order dated 10.10.2023 passed in Crl.M.P.No.5935 of 2023 in C.C.No.37 of 2015 on the file of the XIV Additional Special Judge for CBI Cases, Chennai. Accordingly, this Criminal Original Petition stands dismissed. It is made clear that the petitioner is directed to produce the documents pertaining to File No.C-14011/63/16-AD Government of India, Ministry of Finance, Department of Revenue, Central Board of Excise and Customs, before the Trial Court



forthwith. The Trial Court is directed to serve a copy of the said documents to the respondent herein.

WEB COPY

08-06-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

LPP

To

1.The XIV Additional Special Judge for CBI Cases, Chennai.

2.The Inspector of Police,
Central Bureau of Investigation,
Anti-corruption Branch,
Shastri Bhavan,
Nungambakkam, Chennai - 600 006.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 6722 of 2



G.K.ILANTHIRAIYAN J.

LPP

CRL OP No. 6722 of 2024
(2/2)

08-06-2026