



Crl.O.P.No.8533 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Crl.O.P.No.8533 of 2026
and Crl.M.P.No.6077 of 2026

1.M/s.Disc Assets Lead India Limited,
Having Office at Old Door No.59/1,
New No.119, Canal Bank Road,
CIT Nagar, Chennai - 600 035.

Represented by its Erstwhile
Managing Director V.Janarthanan
Residing at No.14A, Karuman Illam,
Park Town, 4th Street, Madurai - 17.

2.V.Janarthanan,
S/o.Vivekanandam,
Erstwhile Managing Director of
M/s.Disc Assets Lead India Ltd.,
Residing at No.14A, Karuman Illam,
Park Town, 4th Street, Madurai - 17.

.. Petitioner(s) /
Accused Nos.1&4

Vs

The Deputy Director,
Directorate of Enforcement,
Government of India,
B-Wing, 3rd Floor, Shastri Bhavan,
Chennai - 600 006.

.. Respondent(s) /
Complainant



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PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for records on the file of VIII Additional City Civil Court, Chennai (Special Court CBI) pertaining to Crl.M.P.No.1465 of 2024 in Spl.C.C.No.06 of 2021 and to set aside the order dated 11.12.2025 granting the liberty to refile the same.

For Petitioner(s): Mr.S.Dhakshnamoorthy

For Respondent(s): Mr.Rajnish Pathiyil
Special Public Prosecutor
for ED Cases

ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

The petitioner assails the order dated 11.12.2025 in Crl.M.P.No.1465 of 2024 in Spl.C.C.No.06 of 2021 on the file of VIII Additional City Civil Court, Chennai (Special Court CBI), in dismissing the petition filed under Section 294 of Cr.P.C. as not pressed and granting liberty to file fresh petition.

2. The respondent/complainant had filed a complaint under Section 44(1) of the Prevention of Money Laundering Act, 2002 [hereinafter referred to as "the PML Act"] against the petitioners/accused 1 & 4 for an offence under Section 3 of the PML



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Act. The trial court took cognizance and the charges were framed against the accused on 12.04.2022.

3. The complainant had filed a petition under Section 294 of Cr.P.C. to receive the list of documents filed in Judicial Form No.78 as per the Criminal Rules of Practice, 2019. The relief sought for reads as follows;

"a. The property documents/conveyance deeds/titles deeds registered by the accused persons in the concerned Sub Registrar Offices, contained in Part-C (Book 1 to 7) of Annexure-B (Relied Upon Documents) and;

b. The statement of accounts of the accused persons maintained with the bank of the relevant bank witnesses contained in Part-E (Book 1 to 4) along with the Compact Disks, Certificates U/s.65-B of Indian Evidence Act and 2A of Banker's Book of Evidence Act of Annexure-B (Relied Upon Documents)."

4. The petitioners/accused filed counter resisting the petition and the petition was also heard. The complainant had, however, filed a memo seeking to withdraw the petition with liberty to file a fresh petition after obtaining certified / authenticated copies. The trial Court, by order dated 11.12.2025, dismissed the petition as not pressed, granting liberty to file a fresh petition. Now the order is assailed mainly



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on the ground that the rights accrued to the petitioners had been taken away by allowing the petition to be withdrawn with liberty to file afresh. The petitioners are mainly aggrieved by the liberty granted to the respondent to file a fresh petition.

5. Heard the rival submissions and perused the materials available on record.

6. In a criminal trial, once the charges are framed, it is upon the prosecution to bring in the evidences to prove the charges beyond reasonable doubt. In cases involving large number of witnesses and voluminous documents, to facilitate speedy trial and to curtail unnecessary processes, Section 294 of Cr.P.C. allows both prosecution and defense to file documents, which provides for admission and denial of documents where no formal proof of certain documents is required.

7. For easy reference, Section 294 of Cr.P.C. is extracted hereunder;

"294. No formal proof of certain documents.- (1) Where any document is filed before any Court by the prosecution or the accused, the particulars



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of every such document shall be included in a list and the prosecution or the accused, as the case may be, or the pleader for the prosecution or the accused, if any, shall be called upon to admit or deny the genuineness of each such document.

(2) The list of documents shall be in such form as may be prescribed by the State Government.

(3) Where the genuineness of any document is not disputed, such document may be read in evidence in any inquiry, trial or other proceeding under this Code without proof of the signature of the person to whom it purports to be signed:

Provided that the Court may, in its discretion, require such signature to be proved."

8. In normal circumstances, any document that is filed is to be proved by examining the witnesses. Section 294 of Cr.P.C. facilitates smoother proceedings, whereby the lengthy process could be waived when the document is admitted. Section 294 comes to the aid of both the prosecution and the accused and the provision does not contemplate any specific stage at which it could be filed.

9. When a petition under Section 294 is filed, then the other side is called upon to admit or deny the documents. In case the other party admits, there is no requirement of any further proof and only in case the same is denied or objected, then it is for the applicant party



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to prove the documents through proper procedure by letting in evidence.

10. The Hon'ble Supreme Court in the case of *Shamsher Singh Verma v. State of Haryana [(2016) 15 SCC 485]* held that the object of Section 294 is to accelerate pace of trial by avoiding the time being wasted. The relevant portion is extracted hereunder;

"11. The object of Section 294 CrPC is to accelerate pace of trial by avoiding the time being wasted by the parties in recording the unnecessary evidence. Where genuineness of any document is admitted, or its formal proof is dispensed with, the same may be read in evidence."

11. When the provision does not contemplate the stage at which petition under Section 294 could be filed, the provision also does not restrict the number of petitions that could be filed invoking the provision. In this regard, it is useful to refer the judgment of the Delhi High Court in the case of *Naveen Panchal v. State of NCT of Delhi [2024 SCC OnLine Del 7006]*, which took recourse to the observations made by the Full Bench of the Allahabad High Court in *Saddiq v. State [1980 SCC OnLine All 614]*. The relevant portion is extracted hereunder:



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"22. Further, the right to seek admission denial is neither restricted to any particular stage nor is it confined to be availed only at one time. The Full Bench judgment of the Allahabad High Court in Saddiq v. State [1980 SCC OnLine All 614] succinctly explains that the word "any" appearing before the word "document" makes sub-section (1) of Section 294 CrPC, applicable to all documents filed by the prosecution or the accused irrespective of their nature and character, which can be filed indefinite number of times. Section 294 CrPC does not limit the filing of the documents by the accused to one time and can be resorted to at any time after the charge is framed and for any number of times. Of course, it goes without saying that this right is circumscribed by the jurisdiction of the court to disallow the filing of the documents or their admission denial, if found to be irrelevant or an abuse of process of law or tantamount to dilatory tactics."

12. In the instant case, the complainant had filed a petition under Section 294 seeking to receive the documents mentioned above along with the list in Judicial Form No.78. From the list it could be seen that there are more than 1200 documents, most of which are stated to be the sale deeds pertaining to the accused. When the purpose of the provision itself is to accelerate the trial of the case by avoiding the time being wasted in proving these documents if they are admitted, strangely the petitioners who are said to be parties to the documents had resisted the petition denying the documents, whereupon the complainant had filed a memo to withdraw the petition with liberty to file a fresh petition after procuring all required certified copies.



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13. It is the vehement contention of the learned counsel for the petitioners that the complainant in the first instance ought to have filed a petition with proper materials and now cannot be allowed to withdraw the petition to fill up the lacunas pointed out, with liberty to file a fresh petition. We are not impressed with the said contention for the simple reason that, Section 294 itself was intended for the laudable purpose of cutting the cost and avoiding time in the trial whereby the documents are received and need not be proved, only if the same is admitted by the other side.

14. When the time for proving the documents could be avoided, if the voluminous documents are received if admitted, then no prejudice would be caused to the petitioners/accused in allowing the complainant to withdraw the petition with liberty to file a fresh petition. Admittedly when neither any stage has been prescribed nor is there any restriction limiting the number of petitions to be filed under Section 294, the trial Court had rightly allowed the complainant to withdraw the petition with liberty.



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15. It is to be noted that even though liberty is given and if at all any fresh petition is to be filed by the complainant, even then the petitioners will be called upon to admit or deny the documents and unless it is admitted, it is for the complainant to prove the documents. When an application is filed under Section 294 and in case the same is resisted, then the Court will naturally consider as to whether it is filed at a belated stage adopting delay tactics to protract the trial or could be allowed and ultimately orders will be passed on merits by considering all facts and circumstances of the case. Therefore, no prejudice is caused to the petitioners by the order of the trial Court in allowing the complainant to withdraw the petition with liberty.

16. In such circumstances, we find no error or infirmity in the order passed by the trial Court. Accordingly, this Criminal Original Petition stands dismissed. Consequently, the interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
09.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1.The VIII Additional City Civil Court
(Special Court CBI), Chennai.
- 2.The Deputy Director,
Directorate of Enforcement,
Government of India,
B-Wing, 3rd Floor, Shastri Bhavan,
Chennai - 600 006.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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