



Crl.R.C.No.2796 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2796 of 2025

and Crl.M.P.No.24357 of 2025

C.H.Ramarao

... Petitioner

Vs.

Inspector of Police,
Central Crime Branch, Special Cell-II,
Team – 25, Vepery,
Chennai – 600 008

... Respondent

Prayer: Criminal Revision Case filed under Section 438 r/w 442 of BNSS, 2023, to call for the records pertaining to the impugned order dated 03.11.2025 passed in Crl.M.P.No.6601 of 2025 in Crl.A.No.267 of 2024 by 1st Additional (Tada) City Civil and Sessions Court, Chennai and set aside the said order and consequently permit the petitioner to produce the mark the additional documents as additional evidence in the pending appeal.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.R.Vinothraja

Government Advocate (Crl. Side)

ORDER



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The petitioner challenges the order dated 03.11.2025 passed by the learned I-Additional Judge, in Crl.M.P. No.6601 of 2025 in Crl.A.No.267 of 2024 on the file of the I-Additional (Tada) City Civil and Sessions Court, Chennai, dismissing the petitioner's application filed under Section 465, 420, 471 and 465 r/w 34 IPC. Pending the appeal, the petitioner had prayed for receiving ten additional documents under Section 391(1) of Cr.P.C. The said petition was dismissed by the appellate Court on the ground that the petitioner had all the documents in possession during the trial and having failed to file those documents, the petitioner cannot be allowed to mark the same at the appellate stage since the petitioner had not satisfied the condition under Section 391 of Cr.P.C.

2. The learned counsel appearing for the petitioner would submit that in respect a revision in Crl.R.C.Nos.2538 and 2541 of 2025, filed by the co-accused, who had sought for adducing additional evidence under section 391(1) Cr.P.C, this Court permitted them to adduce additional evidence by filing a fresh application by the order dated 26.11.2025.

3. The leaned Government Advocate (Crl. Side) appearing for the



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respondent confirms the said fact that the co-accused were permitted by this Court to adduce additional evidence before the appellate Court.

4. It is seen from the impugned order that the petitioner had sought for filing of additional documents. The documents cannot be filed without examining any witness and it is not known as to what the petitioner means by receiving additional documents. Be that as it may, since the co-accused have been permitted to adduce additional evidence, this Court is inclined to permit the petitioner also to adduce additional evidence, provided the petitioner is able to satisfy the appellate Court that the documents that he proposes to mark are relevant for the case and also states the witness through whom the said documents would be marked. Hence, the impugned order dated 03.11.2025 passed in Crl.M.P.No.6601 of 2025 in Crl.A.No.267 of 2024 on the file of the I-Additional (Tada) City Civil and Sessions Court, Chennai, is set aside and the petitioner shall file a suitable application seeking examination of the witness who is competent to speak about the documents which are relevant for the purpose of the case. On such petition being filed, the learned Judge may examine the same on merits and decide it in accordance with law.



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5. With the above observations, this Criminal Revision Case is ordered. Consequently, Criminal Miscellaneous Petition is closed.

06.01.2026

Index : Yes/No
Speaking Order/Non Speaking Order
Mac

SUNDER MOHAN, J.

Mac



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To

1. The 1st Additional (Tada) City Civil and Sessions Court, Chennai
2. The Inspector of Police,
Central Crime Branch, Special Cell-II,
Team – 25, Vepery,
Chennai – 600 008
3. The Public Prosecutor,
High Court, Madras.

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