IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	09.07.2026
Pronounced on	16.07.2026

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.No.2034 of 2025
and
Crl.M.P.No.19156 of 2025

K.Ramkumar,
S/o.Kaliyana Murthy ... Petitioner

Vs.

State Represented by
The Inspector of Police,
Central Bureau of Investigation (CBI),
Bank Securities & Fraud Cell (BS &FC),
Chennai. ... Respondent

Prayer: Criminal Revision Petition filed under Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and under Sections 397 and 401 of the Criminal Procedure Code, 1973, to set aside the order dated 08.09.2025 passed by the XI Additional Special Judge for CBI Cases relating to Banking and Financial Institutions, Chennai in Crl.M.P.No.1570 of 2025 in C.C.No.2 of 2003, and allow the Petition filed under Section 309 of the Code of Criminal Procedure, 1973 and Section 346 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

For Petitioner	:	Mr.C.Manishankar Senior Counsel for Mrs.L.Maithili
For Respondent	:	Mr.B.Mohan Special Public Prosecutor (CBI)

ORDER

This Criminal Revision Petition has been filed, challenging the order passed in Crl.M.P.No.1510 of 2025 in C.C.No.02 of 2003 dated 08.09.2025 on the XI Additional Special Judge for CBI Cases, Chennai thereby dismissing the Petition filed to stop the trial till the compliance of the request to supply all the documents.

2. The Petitioner is arrayed as A3 in C.C.No.02 of 2003 and is facing charges for the offences under Section 120B read with Sections 409, 420, 467, 468 and 471 of the Indian Penal Code, 1860 and under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 with substantive offences thereof.

3. While pending trial, the Petitioner filed an application to stop the trial till the compliance of the following requirements:-

(i) non-supply of mahazar showing list of

documents seized;
(ii) non-supply of the complete set of documents and the statements of witnesses in the possession of IO and filed along with the Final Report;
(iii) non-supply of documents summoned pursuant to Section 91 application filed by the Petitioner.
(iv) non-participation of the Official Liquidator in the trial despite specific directions of this Court in this regard.

4. The said application was dismissed by the Trial Court and aggrieved by the same, the Petitioner is before this Court by filing the present Criminal Revision Case.

5. On perusal of the records and the submissions made by the learned Counsels for both the sides, it is revealed that the charges were framed in the year 2011, though the Final Report was filed in the year 2003 and was taken cognizance by the Trial Court.

6. So far, the Trial Court had examined PW1 to PW24 and marked Ex.P1 to Ex.P219.

7. The Petitioner is arrayed as A3 and he was an employee of the M/s.Fidelity Industries Limited. At the stage of summoning the other witnesses, the Petitioner filed a Petition under Section 91 of the Code of Criminal Procedure, 1973 that he was not served with all documents as was contemplated under Section 207 of the Code of Criminal Procedure, 1973. The Petitioner/A3 had kept silent all along these years and when the trial was at its fag end, he had come forward with this Criminal Revision Case.

8. In fact, the Petitioner/A3 had engaged the same counsel for 22 years and thereafter he changed his counsel. When the new counsel came on record, he filed a Petition that too at the fag end of the trial in order to protract the trial, though the Trial Court had ordered to produce certain documents in Crl.M.P.No.4519 of 2013 *vide* dated 20.09.2013. Thereafter, the Trial Court proceeded with the trial and the accused had cross-examined all the prosecution witnesses. Therefore, non-production of documents does not vitiate the entire proceedings.

9. The Petitioner/A3 has also failed to explain that the non-production of those records caused any real prejudice. However, as per

the records submitted by the Official Liquidator in Crl.O.P.No.29515 of 2025, the following documents are available with the Official Liquidator:-

S.No.	Details of Documents
1.	Statement of Affairs made by M/s.Fidelity Industries Limited as per Section 454 of the Companies Act, 1956
2.	Report of the Official Liquidator pertaining to M/s.Fidelity Industries Limited (In Liqn) as per Section 455 of the Companies Act, 1956
3.	Form No.18 dated 16.09.1998
4.	Balance Sheet as on 30.09.2000
5.	Form No.32
6.	Form No.8 and Particulars of charge created by S.B.I
7.	Form No.8 and Particulars of charge created by Apple Finance Credit Corporation Limited
8.	Form No.8 and Particulars of charge created by Apple Credit Corporation Limited
9.	Form No.8 and Particulars of charge created by LIC Housing Finance Limited
10.	Form No.8 and Particulars of charge created by United Western Bank Limited
11.	Form No.8 and Particulars of charge created by Infrastructure Leasing and Financial Services Limited
12.	Form No.8 and Particulars of charge created by Times Bank Limited
13.	Form No.8 and Particulars of charge created by Punjab and Sind Bank Limited
14.	Form No.8 by Indian Bank

15.	Form No.8 by Industrial Investment Bank of India
16.	Form No.8 by Allahabad Bank
17.	Form No.8 by UTI Bank

10. Apart from the above documents, the Official Liquidator had also stated that on verification from the documents available in the Godown, the following records were found available in the possession of the Official Liquidator:-

Sl.No.	Name of the Document	Period	Available with OL (Number of pages)
1.	Punjab & Sind Bank Statement and Advice File (Correspondence File)	1996 to 2001	Voluminous
2.	Share Holder Correspondence File	---	18 pages
3.	Banker Meetings Minutes File	---	42 pages
4.	Cash Voucher File	---	66 pages
5.	Stock Statement	1999	30 pages
6.	Un-Audited Results File	1999-2000	55 pages
7.	Trial Balance File	1999	30 pages
8.	Factory Invoice File	1998-1999	239 pages
9.	Bank Statement File	1998-1999	43 pages
10.	Factory Weekly Meeting File	---	60 pages
11.	DTA Invoice File	---	107 pages

12.	CST Sale Invoice File	1993-1994	60 pages
13.	Debit Note File	2001	32 pages
14.	KVB Correspondence File	1999	45 pages
15.	Agreement File	---	40 pages
16.	Form No.20 File	2000	10 pages
17.	Statistics File	---	70 pages
18.	Invoice File	1998	157 pages
19.	General Ledger File – Vijaya Bank	---	76 pages
20.	Un-Audited Results File	1996-1997	70 pages
21.	TDS not Deducted Register	1994-1995	203 pages
22.	Committee Meeting Register	1994-1995	55 pages
23.	Cash Day Book	1995	109 pages
24.	Cash Book Register	1998-1999	57 pages
25.	Cash Payment Voucher	March-1999	53 pages
26.	Cheque Payment Voucher	1998-1999	40 pages
27.	Journal Voucher	2000	89 pages
28.	Expenditure Invoice Book	1998-1999	60 pages
29.	Statutory Register	1995-1996	43 pages
30.	Bank Payment Voucher-IB	1998	50 pages
31.	Cheque Voucher Book	1990	15 pages
32.	Cash Voucher Book	1997	70 pages
33.	PBS (Old Book Purchase Bill)	1994	48 pages
34.	Cheque Payment Voucher	1997	107 pages

35.	Purchase Journal Book	1997	57 pages
36.	Cheque Voucher Book	1990	47 pages
37.	Cash Voucher Book	1997	59 pages
38.	Bank Payment Voucher-UBI/MDU	2000	69 pages
39.	General Ledger	1998-1999	200 pages
40.	PS-Imports Book	1999	41 pages
41.	Cash Voucher Book	1995	52 pages
42.	Cash Payment Voucher	1998	47 pages
43.	Cash Payment Voucher	1996	106 pages
44.	Cash Payment Voucher	1998	57 pages
45.	Cash Payment Voucher	1996	110 pages
46.	Purchase Bill Book	1998	157 pages
47.	Cash Voucher Book	2000	64 pages
48.	Cheque Payment Voucher Vijaya Bank	1996-1997	76 pages
49.	Cheque payment Voucher	1996	40 pages
50.	Cash Payment Voucher	2000	82 pages
51.	General Ledger	1996 to 2001	Voluminous
52.	Bank Day Book	1998	Voluminous

11. In view of the above, the Official Liquidator is directed to produce the copy of available documents sought for by the Petitioner before the Trial Court within a period of two weeks from the date of receipt of a copy of this order.

12. On receipt of the same, the Trial Court is directed to furnish those documents sought for by the Petitioner and forthwith proceed with the trial.

13. With the above directions, this Criminal Revision Case is disposed of. Connected Criminal Miscellaneous Petition is closed.

16.07.2026
(2/2)

Neutral Citation: Yes / No

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To:

1.The XI Additional Special Judge for CBI Cases,
Court of XI Additional Special Judge for CBI Cases,
Chennai.

2.The Inspector of Police,
State of Tamil Nadu,
Central Bureau of Investigation (CBI),
Bank Securities & Fraud Cell (BS &FC),
Chennai.

3.The Public Prosecutor,
High Court of Madras,
Chennai-600 104.

G.K.ILANTHIRAIYAN, J.

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