

Crl.M.P.No.10215 of 2021
in Crl.RC.No.949 of 2014

R.N.MANJULA, J.

This petition has been filed to implead the legal heirs of the deceased respondent/complainant. The connected proceedings is a private complaint filed under Section 138 of N.I. Act for dishonour of cheque.

2. The learned counsel for the petitioner invited the attention of this Court to the decision of the Hon'ble Supreme Court in the case of ***Rashida Kamaluddin Syed and another Vs. Shaikh Sahebal Madan (dead) through LRs and another*** reported in ***(2007) 2 MLJ (Crl) 233 (SC)***. In the said case, it is held that the criminal case does not abate on the death of the complainant and his legal heirs are entitled to continue the proceedings. Since the alleged offences committed against the property of the deceased, the LRs have right to continue the proceedings.

In view of the above, this criminal miscellaneous petition is allowed.

08.11.2021
(½)

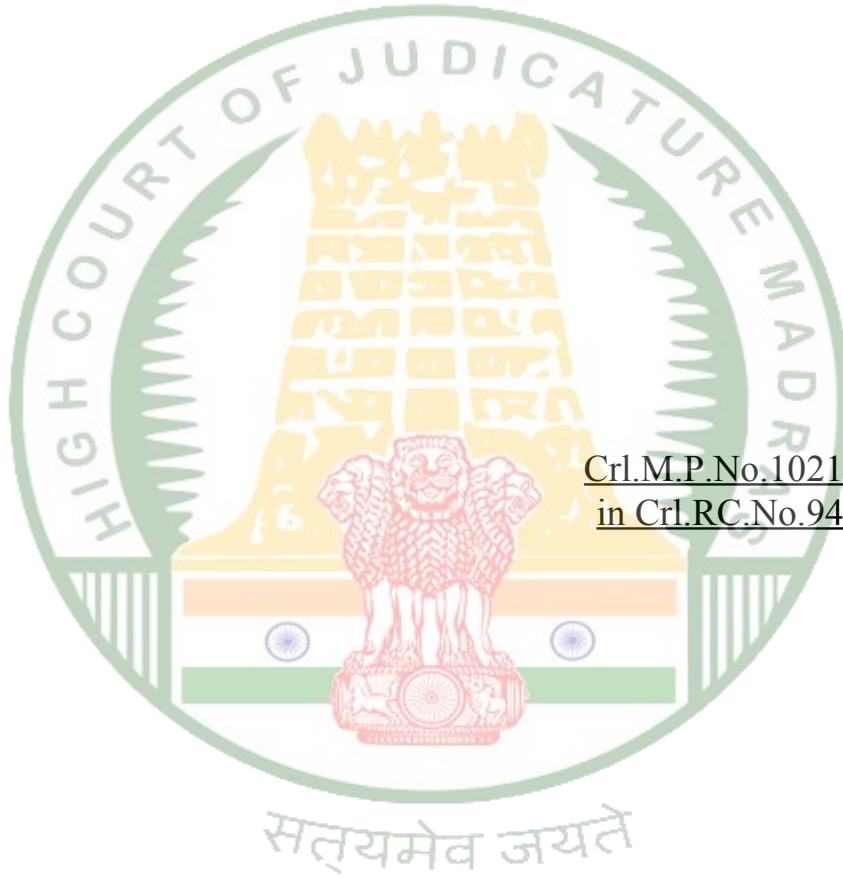
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Note : The Registry is directed to carry out the necessary amendments in the main Crl.RC.

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