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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Cr1.RC.No.581 of 2022

C.Selvarani

...Petitioner/Respondent/Accused

Versus

M/s. D.N.C Chits Pvt Lts,
Rep by its Authorised Person,
Mr.T.Sundar babu,
S/o.Thiruvankadam
Carrying on business
No.11/6A, P.T.Rajan Salai
20th Sector. K.K.Nagar
Chennai - 600078
(Limits of K.K.Nagar Police Station)

Branch Office
Subham Square
Shop No.21, Door No.41/9
1st Main Road, karampakkam
Porur, Chennai -600 116
(Limits of SRMC Porur Police Station)

...Respondent/Respondent/Petitioner

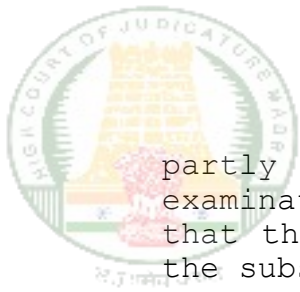
Prayer : Criminal Revision filed u/s. 397 read with 401 of Criminal Procedure Code to set aside the order dated 31.08.2021 in C.M.P.No.2381 of 2020 in S.T.C.No.191 of 2018 passed by the Fast Track Court, Magisterial Level, Poonamalle, to that effect that evidence of PW1 (Mr.T.Subdarbabu) be completed before the substitution.

For Petitioner : Mr. A.Suresh Sakthi Murugan

For Respondent : No appearance

O R D E R

This Criminal Revision Petition is filed against the order dated 31.08.2021 allowing substitution petition filed on behalf of respondent/ complainant company. Originally, one T.Sundarbabu was representing the complainant. As a matter of fact, he has already let in evidence as PW1. Cross Examination of PW1 is



partly over and the matter is now posted for further cross examination. At this stage, the respondent Company has stated that the said person has left the employment and sought to file the substitution petition, which is allowed by the trial Court.

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2. The only and primary apprehension/objection of the revision petitioner is that already the said Sundarbabu has given the certain answers in his cross examination and under the guise of substitution, virtually the respondent company is attempting to wriggle out of the said evidence let in by the said Sundarbabu.

3. I do not think that the apprehension of the petitioner is correct. The application for substitution has got nothing to do with evidence already on record. As a matter of fact, the matter is posted for continuation of evidence PW1, which will be continued in accordance with law and just because the substitution petition is ordered, the answers cannot evaporate. Therefore, I am of the view that substitution has been rightly ordered.

4. Accordingly, this Criminal Revision Petition is dismissed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

sma

To:

The Fast Track Court,
Magisterial Level,
Poonamallee.

+1cc to Mr.A.Suresh Sakthi Murugan, Advocate, S.R.No.33670

Cr1.RC.No.581 of 2022

SR-II(CO)
SB(22/06/2022)