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Crl.M.P.Nos.8485 & 8489 of 20__
in Crl.R.C.Nos.259 & 260 of 2023

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V.SIVAGNANAM,J.

These petitions have been filed by the petitioner/proposed respondent No.3 to implead him as respondent No.3 in the above Crl.R.C.Nos.259 & 260 of 2023.

2.The learned counsel for the petitioner submitted that the de-facto complainant viz., L.Chandru S/o. late Loganatha Reddiar gave a complaint in CSR No.641 of 2014 against the accused persons for falsification of records pertaining to the documents of the property in T.S.No.88, Paimash No.326/1. After investigation, the respondent police filed a charge sheet, which was taken on file in C.C.No.14 of 2021 on the file of the Special Court, Land Grabbing Court No.II, Egmore, Allikulam, Chennai-600 003. Thereafter, the accused persons filed a petition in Crl.M.P.No.31 of 2022 in C.C.No.14 of 2021 for discharging them from the criminal prosecution on the ground that they have not created any documents and not committed any offence of



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forgery. After hearing, the learned Judge dismissed the petition on the ground that there is a prima facie case for framing charges. Aggrieved by this order, this criminal revision cases are filed before this Court.

3.Heard the learned counsel for the petitioners' argument on 18.04.2023 and then periodically the cases were adjourned to several dates. In the meantime, impleading petitions has been filed on 15.06.2023 by the petitioner/proposed respondent to implead him as one of the respondents in Crl.R.C.Nos.259 & 260 of 2023. Finally, the second respondent/defacto complainant argued today i.e. 19.06.2023.

4.The learned counsel for the petitioner objected on the ground that he has no interest with regard to the property. The defacto complainant/second respondent is represented the case, only on his complaint, the case has been registered. Under such circumstances, he need not be impleaded in the revision and seeks to dismiss.

5.The learned counsel for the defacto-complainant supported the impleading petitioner.



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6.I have considered the matter in the light of the submissions made by the learned counsel for the petitioner as well as the learned counsel for the respondents.

7.On perusal of the records, it is noted that the case has been registered in pursuant of the complaint given by the defacto complainant Viz., L.Chandru S/o.Loganatha Reddiar. After investigation, final report has been filed. Aggrieved by this final report, the accused filed discharge petition in Crl.M.P.No.31 of 2022, which was dismissed against which the criminal revision cases are filed. In this criminal revision, the defacto complainant is impleaded as the second respondent. He is represented by counsel. Under these circumstances, in the absence of any allegation that the defacto complainant has acted against the interest of the petitioner and colluded with the accused and also acted in a hostile manner, the impleading petitions are unwarranted and he is not necessary party to the proceedings belatedly filed by the petitioner in order to protract the proceedings before this Court. Therefore, I find no merit in these petitions.



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7. Accordingly, these petitions are dismissed.

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19.06.2023



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