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Crl.M.P.No.17938 of 2023

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in
Crl.R.C.SR.No.55632 of 2023

M. NIRMAL KUMAR, J.

This petition is filed to condone the delay of 230 days in preferring the above revision.

2.The petitioner is the de-facto complainant in Crime No.204 of 2015. The petitioner lodged a complaint against 13 named accused. After investigation, the respondent police filed charge sheet deleting 7 persons name. But the same has not been informed to the petitioner. No notice has been served. After coming to know about the same, the petitioner filed a petition before the Lower Court to include the deleted accused names found in the F.I.R. and charge sheet. The Lower Court rejected the same, against which, the present revision has been filed with a delay of 230 days.

3.Heard the learned Counsel for petitioner.

4.Mr.S.Vinoth Kumar, learned Government Advocate (Crl. Side) takes notice for the first respondent. He submits that in this case, copies served to the named accused in the charge sheet, charges framed and the case is at the stage of trial. At this stage entertaining this petition would amount to scuttling of trial. Hence, opposed for allowing this petition.

5.It is a settled preposition that if the name of the person in the F.I.R. Is deleted, the de-facto complainant ought to have given notice to make their objections. In this case, no notice has been served.



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6.In view of the same, the delay stands condoned and the petition is ordered.

7.In the meanwhile, the Trial Court is directed to maintain status-quo in this case.

10.11.2023

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Note: Registry is directed to number the Criminal Revision, if it is otherwise in order and post the same for Admission on 15.11.2023.

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