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CrI.M.P.No.19528 of 2023

**CrI.M.P.No.19528 of 2023**  
**in**  
**CrI.R.C.SR.No.58964 of 2023**

**M. NIRMAL KUMAR, J.**

This petition is filed to condone the delay of 54 days in filing the above revision.

2.The first respondent police/complainant had filed a petition under Section 319 of Cr.P.C. in C.M.P.No.1035 of 2023 before the Lower Court to implead the left out accused, who are named in the complaint as well as in the F.I.R.

4.According to the petitioner/de-fact complainant, no prior notice was issued before taking cognizance by the Lower Court and no reason given for deleting the name of the accused named in the complaint. The learned counsel for petitioner fairly submitted that the case is at the stage of trial. When she was examined as PW1, she brought all these facts. The evidence of PW2 to PW4 also corroborated the same. But the Lower Court not considered the petition filed under Section 319 Cr.P.C. and dismissed the same. Challenging the said order, the above revision has been filed with a delay of 54 days.

**M. NIRMAL KUMAR, J.**



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5.Mr.A.Damodaran, learned Additional Public Prosecutor takes notice for the first respondent and not having much objection for condoning the delay.

6.As regards respondents 2 to 4, who are accused in C.C.No.285 of 2018, they are not aggrieved parties or necessary parties to the issue. In view of the same, notice to the respondents 2 to 4 is dispensed with.

7.Accordingly, the delay stands condoned and the petition is ordered.

19.12.2023

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Note: Registry is directed to number the Criminal Revision, if it is otherwise in order.

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