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Crl.M.P.No.3547 of 2023
in Crl.R.C.SR.No.53000 of 2022

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M. NIRMAL KUMAR, J.

The petitioner is the owner of the Ford Figo car bearing Registration No.TN-07-BH-1487. The said car said to have met with an accident by colluding with a two wheeler bearing Registration No.TN-07-BJ-0321, due to which, the rider of the bike sustained injuries and succumbed to death.

2.The contention of the petitioner is that the petitioner had left the vehicle to Ford Figo service station on 27.07.2011 and the accident said to have taken place on 28.07.2011. The petitioner's vehicle left with the custody of the service station. For this aspect, she was examined as PW10. The Trial Court, by judgment dated 07.08.2019 in C.C.No.1926 of 2012, acquitted the accused Anandan, who is none other than the petitioner's husband's brother-in-law. One Badrinarayanan, who is the brother of the deceased, had been prosecuting as intervenor. Against the acquittal of Anandan, the said Badrinarayanan preferred an appeal in C.A.No.71 of 2021. The Lower Appellate Court, by judgment dated 29.09.2022 confirmed the acquittal of the accused under Section 304A of IPC and Section 158(1)(c) of



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the Motor Vehicle's Act but convicted the accused for offence under Section 134(a) and (b) r/w 187 of the Motor Vehicle's Act and sentenced him to pay a fine of Rs.5,000/-. Against the conviction, the said Anandan had preferred a revision, which is pending before this Court. Now the petitioner/owner of the Ford Figo car and PW10 in C.C.No.1926 of 2012 has filed this petition aggrieved against the judgment of the Lower Appellate Court, prays to accept the cause-title showing her as revision petitioner, since the Registry is not entertaining the petitioner's petition for the reason that her name does not find place in the cause-title in C.C.No.1926 of 2012 and C.A.No.71 of 2021.

3.Finding the petitioner/PW10 is the owner of the vehicle and reasons, this Criminal Miscellaneous Petition is ordered.

4.Registry is directed to accept the cause-title, number the Revision Petition, if it is otherwise in order.

19.01.2024

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