



Crl.R.C.No.1987 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.1987 of 2024 and
Crl.M.P.Nos.16186 & 16187 of 2024

Rajesh Joshi,
Pawn Broker,
G.N.T. Road,
Near Burial Ground,
Gummidipoondi- 621 201.

... Petitioner

Vs.

Subhash Shantilal

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 438/442 of BNSS,
to revise the order passed in CMP.No.3937 of 2023 in STC No.35 of 2019
dt.13/09/2024 on the file of the District Munsif-cum-Judicial Magistrate,
Gummidipoondi.

For Petitioner : Mr.R.Karthikeyan



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ORDER

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This Criminal Revision Case challenges the impugned order, dated 13.09.2024 in C.M.P.No.3937 of 2023 in S.T.C.No.35 of 2019 passed by the learned District Munsif cum Judicial Magistrate, Gummidipoondi permitting the respondent/complainant to amend the name of the accused as Rajesh Joshi instead of Rajesh Sharma.

2.The learned counsel for the petitioner/accused would submit that the respondent had prosecuted a wrong person and after the period of limitation, had sought for amendment of the name which cannot be permitted; and that therefore the order of the Trial Court has to be set aside.

3.It is not in dispute that the cheque was issued from the account maintained by the petitioner and the cheque was dishonoured; and that the address shown in the complaint is that of the petitioner. The only mistake made in the complaint is that instead of Rajesh Joshi the accused was shown as Rajesh Sharma.



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4.In such circumstances, this Court is of the view that no prejudice is caused to the petitioner/accused and the impugned order passed by the learned Magistrate does not suffer from infirmity warranting interference.

5.In view of the above, this Criminal Revision Case stands dismissed confirming the impugned order, dated 13.09.2024 in C.M.P.No.3937 of 2023 in S.T.C.No.35 of 2019 passed by the learned District Munsif cum Judicial Magistrate, Gummidipoondi. Consequently, connected criminal miscellaneous petitions are closed.

20.11.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No

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To

- 1.The District Munsif cum Judicial Magistrate,
Gummidipoondi.
- 2.The Inspector of Police,
District Crime Branch,
Tiruvallur District.



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3.The Public Prosecutor,
Madras High Court.

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