



Crl.M.P.No.4598 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.M.P.No.4598 of 2025

in

Crl.R.C.No.2304 of 2024

Annamalai Subramanian

... Petitioner

Vs

1. A.Chidambaram

2. S.Muthuraman

3. The State of Tamilnadu represented by
The Inspector of Police,
Team IV, EDF II, Crime Branch,
Egmore, Chennai.

... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., to implead the petitioner/proposed second respondent as one of the respondents in Crl.R.C.No.2304 of 2024.

For Petitioner : Mr.E.Hariharan

For R1 & R2 : Mr.R.Sagadevan

For R3 : Mrs.G.V.Kasthuri
Additional Public Prosecutor



Crl.M.P.No.4598 of 2025

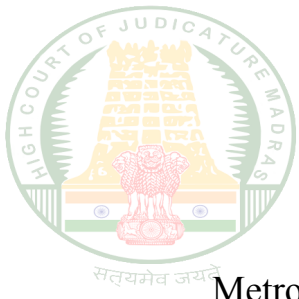
WEB COPY

ORDER

This Criminal Miscellaneous Petition has been filed to implead the petitioner/proposed second respondent, as one of the respondents in Crl.R.C.No.2304 of 2024.

2. Heard the learned counsel appearing for the petitioner, learned counsel for the private respondents and the learned Additional Public Prosecutor appearing for the third respondent-Police and perused the materials available on record.

3. The third respondent police herein registered a case against the respondents 1 and 2 herein for the offences under Sections 406, 420, 465, 468 and 471 of IPC. After completion of investigation, the third respondent-Police laid a charge sheet on the file of the XI Metropolitan Magistrate Court, Saidapet, Chennai and the same was taken on file in C.C.No.1163 of 2023. Pending Calender Case, the respondents 1 and 2 had filed a petition under Section 239 Cr.P.C., in Crl.M.P.No.9789 of 2023, seeking to discharge them from the said case. The learned



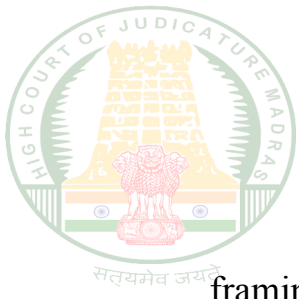
Crl.M.P.No.4598 of 2025

WEB COPY

Metropolitan Magistrate, vide order dated 22.11.2024, dismissed the petition. Challenging the same, the respondents 1 and 2 herein have filed the revision petition in Crl.R.C.No.2304 of 2024 before this Court. Pending revision, the petitioner herein/de-facto complainant has filed the present petition to implead him as respondent in the revision case.

4. Learned counsel for the petitioner/de-facto complainant submitted that the third respondent police has not conducted a fair investigation. Hence he prayed to implead him as a respondent in the revision case.

5. Admittedly, the third respondent-Police registered a case based on the complaint given by the petitioner herein. After investigation, charge sheet has also been filed. The petitioner/de-facto complainant has not taken any steps to challenge the charge sheet filed by the respondent-Police before the learned Magistrate. Further the petitioner/de-facto complainant has not taken any steps to seek a direction for further investigation before the learned Magistrate. At the stage of



Crl.M.P.No.4598 of 2025

WEB COPY

framing of charges, the respondents 1 and 2 had filed a petition for discharge and the said petition was dismissed by the learned Magistrate, on merits. Challenging the dismissal order of the learned Magistrate, the respondents 1 and 2 have filed this revision petition.

6. If the petitioner herein/de-facto complainant either aggrieved with the charge sheet or investigation, he has to workout his remedy in the manner known to law. He has no role to play in this revision petition that too, challenging the dismissal of the discharge petition.

7. Under the above facts and circumstances of the case, this Court is of the view that the petitioner herein/de-facto complainant is neither a necessary party nor a proper party to this revision petition, which is pending before this Court.



Crl.M.P.No.4598 of 2025

WEB COPY

dismissed.

8. In view of the same, this Criminal Miscellaneous Petition is

12.03.2025

(1/2)

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Team IV, EDF II, Crime Branch,
Egmore,
Chennai.

2. The Public Prosecutor,
High Court, Chennai.



WEB COPY



Crl.M.P.No.4598 of 2025

P.VELMURUGAN, J.

mfa

Crl.M.P.No.4598 of 2025
in
Crl.R.C.No.2304 of 2024

12.03.2025