

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP No. 20712 of 2025
IN
CRL A NO. 632 OF 2022

1. KAVITHA

D/o.Elumalai, W/o.Gunasekar, No.
2/22, East Street, Siruvathur Village,
Pu.Malayanur Post, Ulundurpet Taluk,
Kallakurichi District- 607 202.

Petitioner(s)

Vs

1. MAHESHWARAN

S/o.Mookan, Siruvathur Village,
Pu.Malayanur Post, Ulundurpet Tk,
Kallakurichi District- 607 202.

2.State Rep. by The Inspector of Police
AWPS, Ulundurpet Police Station,
Kallakurichi District- 606 107. Crime
No. 8/2018.

Respondent(s)

CRL A No. 632 of 2022

1. MAHESHWARAN

S/o. Mookan, Siruvathur Village,
Pu.Malayanur Post, Ulundurpet Tk,

Kallakurichi District.

Appellant(s)

Vs

1. State Rep By
Inspector Of Police, Awps,
Ulundurpet Police Station,
Kallakurichi District. Cr.No.8 Of 2018.

Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023, praying to implead the petitioner/Proposed respondent as one of the respondent in the above Criminal Appeal No.632 of 2022 pending before this Honble Court.

For Petitioner	:	M/s.P.Raja Aswini
For Respondent-1	:	Mr.S.Saravana Kumar
For Respondent-2	:	Mr.Leonard Arul Joseph Selvam Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition is filed to implead the petitioner/proposed respondent as one of the respondent in the above Criminal Appeal No.632 of 2022.

2.The learned counsel for the first respondent/appellant in

Crl.A.No.632 of 2022 had produced a Joint Compromise Memo submitting that the appellant and the petitioner herein/de-facto complainant/Kavitha, D/o.Elumalai, had entered into a compromise and she is not willing to further pursue the appeal.

3.The learned counsel for petitioner/de-facto complainant produced a petition and affidavit of Kavitha dated 31.10.2025, wherein the said Kavitha denied entering into any compromise and also filed the above intervening application in Crl.M.P.No.20712 of 2025 submitting that her signature has been forged in the Joint Compromise Memo and she never approached for any compromise and she has not signed in the compromise affidavit.

4.Today, the de-facto complainant/Kavitha, D/o.Elumalai appeared through video conference and she confirmed that she has not signed in the compromise affidavit.

5.The learned counsel for petitioner further submitted that in this case, the victim as well as her family members are being threatened by the

appellant and now their life is under threat, at any time, they would be attacked.

6.The learned Additional Public Prosecutor takes note of the same and submitted that he would instruct the Inspector of Police, All Women Police Station, Ulundurpet to conduct an enquiry and if the complaint is true, appropriate action would be taken against the appellant and other wrongdoers.

7. The learned counsel for the appellant/first respondent herein submitted that he is not aware about the subsequent development. The Joint Compromise affidavit was handed over to him by the appellant and *de-horse* the compromise memo he is ready to argue the case on merits.

8. Considering the above said facts, this Criminal Miscellaneous Petition is ordered and the petitioner is impleaded as second respondent in the above Criminal Appeal No.632 of 2022.

9.The Registry is directed to carry out necessary amendment in cause-title and list the appeal on 08.12.2025.

07.11.2025

rsi

To

- 1.The Inspector of Police,
AWPS, Ulundurpet Police Station,
Kallakurichi District- 606 107.
- 2.The Public Prosecutor,
High Court, Madras.

CRL MP No. 20712 of 2025
IN
CRL A NO. 632 OF 2022

M.NIRMAL KUMAR, J.

rsi

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