



Crl.MP.(MD)No.10833 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **09.12.2025**

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.M.P.(MD) No.10833 of 2025
in
CRL.R.C.(MD)SR.No.29876 of 2025

M/s. Mahindra @ Mahindra Financial Services Limited
Gateway Building
Apollo Bunder
Mumbai 400 001
Rep. by its Deputy Manager
Mr. Johnmillar Johnsundaram.

... Petitioner

vs.

1. The State of Tamil Nadu,
Rep. by The Inspector of Police
Economic Offences Wing II
Pudhukottai.
(In Crime No. 3/2024)

2. Truly Rich Ventures
Aranthangi
Madurai.

3. T.Sanjay

4. Tamil Mani
5. Boonthi

6. A.Branham Bright

... Respondents



Crl.MP.(MD)No.10833 of 2025

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to permit the third party in filing the instant Criminal Revision Case in Crl. RC.(MD).SR.No. 29876/2025 on the file of this Honble Court and thereby render justice.

For Petitioner : Mr.M.Dinesh Hari Sudarsan

For Respondent : M.Karunanithi
Government Advocate – For R1
: Mr.M.Mahamani – For R2
: Mr.Michael Sebastin – For R3 to R5

ORDER

This Criminal Miscellaneous Petition has been filed to to permit the third party in filing the instant Criminal Revision Case in Crl. RC. (MD).SR.No. 29876/2025.

2.Heard Mr.M.Dinesh Hari Sudarsan, learned counsel for the petitioner, Mr.M.Karunanithi, learned Government Advocate (Crl.Side), Mr.M.Mahamani, learned Counsel for 2nd respondent and Mr.Michael Sebastin, learned Counsel for Respondent Nos.3 to 5.



Crl.MP.(MD)No.10833 of 2025

WEB COPY

3. The learned Counsel for the petitioner would submit that petitioner finance company, entered into a hypothecation agreement with 3rd respondent for purchase of Black Colour Mahindra Thar car bearing registration No.TN 55 CQ 5555.

4. It is further submitted that the Special Court for Tamil Nadu Protection of Interests of Depositors Act has brought the above vehicle for sale through public auction in terms of Section 458 & 459 of Cr.PC. He would submit that the above order affects his ownership right over the vehicle and submitted that this criminal revision be entertained.

5. Though certain doubts were raised by the learned counsel for 3rd respondent with regard to maintainability of criminal revision case, that question need not detain this Court inasmuch as Hon'ble Supreme Court in the case of *A.Pandurangan vs S.S.R.Velusamy* reported in **2003 (8) SCC 625** has found that revision at the instance of 3rd party is maintainable. The Hon'ble Supreme Court proceeded on the premise that in terms of Section 397 Cr.P.C., the Court may exercise suo motu powers



Crl.MP.(MD)No.10833 of 2025

of revision, if that be so, the question of the same being invoked at the instance of an outsider would not make any difference because ultimately it is the power of revision which is already vested with the High Court statutorily that is being exercised by the High Court. For better appreciation the relevant portion of the said judgement is extracted hereunder:

"So far as the first question as to the maintainability of the revision at the instance of the complainant is concerned, we think the said argument has only to be noted to be rejected. Under the provisions of Code of Criminal Procedure, 1973, the court has suo moto power of revision, if that be so, the question of the same being invoked at the instance of an outsider would not make any difference because ultimately it is the power of revision which is already vested with the High Court statutorily that is being exercised by the High Court. Therefore, whether the same is done by itself or at the instance of a third party will not affect such power of the High Court."



Crl.MP.(MD)No.10833 of 2025

6. Being satisfied with reasons stated in the affidavit filed in support of this Criminal Miscellaneous Petition, the present criminal miscellaneous petition is ordered.

7. Registry is directed to number the Criminal Revision Petition, if it is otherwise in order.

09.12.2025

gvn



WEB COPY



Crl.MP.(MD)No.10833 of 2025

MOHAMMED SHAFFIQ, J.

gvn

Order made in
Crl.M.P.(MD) No.10833 of 2025
in
CRL.R.C.(MD)SR.No.29876 of 2025

09.12.2025