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CrI.O.P(MD)No.869 of 2026

CRL.OP(MD)No.869 of 2026
in
CRL.A(MD)SR.No.13007 of 2025

N.MALA.,J.

This Criminal Original Petition is filed to grant leave to the petitioner to file the Criminal Appeal in CrI.A(MD)SR.No.13007 of 2025 against the impugned order passed by the learned District Munsif Cum Judicial Magistrate, Srirangam in S.T.C.No.102 of 2019, dated 02.12.2024.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Honourable Supreme Court in Neutral Citation-2025 INSC 804, dated 8.4.2025 in the case of *M/s.Celestium Financial .vs. A.Gunasekaran etc.,* held that application for grant of leave is not necessary. The Honourable Supreme Court in Paragraph No.10 of the above citation categorically held as follows:

“10.....We hold that the victim of an offence has the right to prefer an appeal under the proviso to Section 372 of the Cr.P.C irrespective of whether he is a complainant or not. Even if the victim



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of an offence is a complainant, he can still proceed under the proviso to Section 372 and need not advert to sub-section (4) of Section 378 of the Cr.P.C..”

4.In view or the aforesaid dictum of the Honourable Supreme Court, though the application to grant leave is not necessary, is allowed.

5.Registry is directed to number these Criminal Appeal, if they are otherwise in order and list it for admission in the usual course.

20.01.2026

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