



WEB COPY



CRL.OP(MD)No.725 of 2026
in
CRL.A(MD)SR.No.61145 of 2025

N.MALA.,J.

Crl.O.P(MD)No.725 of 2026 is filed to grant leave to the petitioner to file the above Criminal Appeal in Crl.A(MD)SR.No.61145 of 2025 against the impugned order passed by the First Additional District and Sessions Judge, Tiruchirappalli, in Crl.A.No.112 of 2023, dated 18.03.2024 confirming the judgment passed in S.C.No.221 of 2018 on the file of the Chief Judicial Magistrate, Tiruchirappalli, dated 26.09.2023.

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:



WEB COPY

“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 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 of the aforesaid dictum of the Honourable Supreme Court, though this application to grant leave is not necessary, is allowed.

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

19.01.2026

CM



WEB COPY



N.MALA,J.

CM

ORDER MADE IN

CRL.OP(MD)No.725 of 2026

in

CRL.A(MD)SR.No.61145 of 2025

19.01.2026