

IN THE COURT OF THE JUDICIAL MAGISTRATE, AVINASHI

Present: Tmt. N. Keerthana, B.A., LLM.,
Judicial Magistrate, Avinashi.

On Saturday, the 06th day of June 2026

Crl.M.P.No.1196/2025

in

C.M.P.No.903/2025

Chandrasekar

.... Petitioner/3rd Party

Vs

1. Suresh

... Respondent/Petitioner

2. Inspector of Police,
Avinashi Crime Police Station,
Avinashi

... Respondent/Respondent

This case came up for final hearing before me on 06.06.2026 in the presence of Thiru. V. Sajith, the learned counsel for the petitioner, and Thiru. P. Thirumoorthi, for the respondent. Having heard both sides, perused the records and having stood over it for consideration, this Court delivers the following,

ORDER

This petition is filed by the petitioner to add the petitioner as 2nd respondent in C.M.P.No.903/2025.

I. THE GIST OF THE PETITION:

- 1) The petitioner contends that 1st respondent had lodged a a false complainant against him at Avinashi Police Station, The Deputy superintendent of Police and the Superintendent of Police of Tiruppur. The petitioner states that the facts stated in the petition are false and unlawful. Further, the petitioner stated that without hearing the facts on the side of the petitioner and if any order is passed against him, shall cause prejudice laws

and hardships to the petitioner. Hence, this petition may be allowed.

II. COUNTER FILED BY THE 1ST RESPONDENT:

- 2) The facts stated by the petitioner in the petition are specifically denied except the facts admitted. The burden of proving entirely lies upon the Petitioner. Further, The Petitioner and the 1st Respondent were friends. On 07.12.2023, the 1st Respondent purchased a 2015 model Honda City car bearing Registration No. TN 58 AJ 7287 by availing a vehicle loan from Sundaram Finance, in his own name. Since, the Petitioner is a known person of the 1st Respondent, he used to borrow the said vehicle from the 1st Respondent too often for his personal use. Subsequently, the Petitioner represented to the 1st Respondent that he intended to retain the said vehicle permanently and assured the 1st Respondent that although the vehicle loan would continue in the name of the 1st Respondent, he would reimburse all the loan installments and other amounts payable. Believing the said representation, the 1st Respondent handed over possession of the vehicle to the Petitioner.
- 3) However, the Petitioner paid the loan installments only for about four months. Thereafter, on 18.02.2025, the Petitioner again took possession of the vehicle and, with a dishonest intention, failed and neglected to return or hand over the vehicle to the 1st Respondent. Despite several requests made by the 1st Respondent to return the vehicle, the Petitioner refused to hand over the same. Consequently, on 01.03.2025, the 1st Respondent lodged a complaint before the Crime Wing, Avinashi Police Station seeking recovery of the said vehicle from the Petitioner. However, the 2nd Respondent failed to conduct a fair and proper enquiry.

III. POINTS FOR CONSIDERATION:

Whether this petition is allowed or not?

4) The petitioner states that this petition is filed to implead himself as the second respondent in C.M.P. No.903 of 2025. According to the petitioner, he had lodged complaints before the Inspector of Police, Avinashi Police Station, the Deputy Superintendent of Police and the Superintendent of Police, Tiruppur, in respect of the Honda City Car bearing Registration No. TN58 AJ 7287. On the other hand, the first respondent contends that the dispute between the petitioner and the first respondent pertains to the said vehicle and that he has also lodged a complaint against the petitioner. Since no action was allegedly taken on his complaint, the first respondent has approached this Court by filing C.M.P. No.903 of 2025.

5) Upon hearing both sides and on perusal of the records, this Court is of the considered view that the dispute raised by the petitioner and the first respondent is with regard to a vehicle. Therefore, if the petitioner is impleaded as a party to the proceedings, the entire dispute between the parties can be adjudicated in one and the same proceedings. Further, by giving sufficient opportunity to both parties to put forth their case, no prejudice would be caused to either of them. Moreover, in order to avoid multiplicity of proceedings and in the principles of natural justice, this Court is inclined to allow the petition.

6) Accordingly, the petition is allowed without costs. The petitioner is hereby directed to be impleaded as 2nd Respondent in C.M.P.No.903/2025.

Directly dictated to the Steno-Typist typed by him, corrected and pronounced by me in Open Court on the 6th day of June 2026.

Judicial Magistrate,
Avinashi.