

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: **21.04.2016**

Coram:

**THE HON'BLE Mr.JUSTICE M.VENUGOPAL**

**Crl.M.P.No.4475 of 2016**  
**in**  
**Crl.R.C.No.SR.17033 of 2016**

Jothimani

..Petitioner

Vs.

State rep. By  
The Inspector of Police,  
Central Crime Branch,  
Tirupur.  
(Crime No.8 of 2013)

...Respondent

Prayer: Petition filed under Section 5 of the Limitation Act to condone the delay of 128 days in filing the Criminal Revision Petition against the order in C.M.P.No.2676 of 2015 dated 07.09.2015 passed by the Learned Judicial Magistrate-I, Tirupur.

For Petitioner : Mr.K.Thilageswaran  
For Respondent : Mr.V.Arul  
Government Advocate (Crl.Side)

**ORDER**

Heard the Learned Counsel for the Petitioner and the Learned Government Advocate (Crl.Side) for the Respondent.

2.The Petitioner at para 2 in Crl.M.P.No.4475 of 2016 had observed that the order was passed on 07.09.2015 (in Crl.M.P.No.2676 of 2015) and he could not approach the Hon'ble High Court in time because of his struggle for livelihood and further, he could not secure proper legal assistance. In this process, there has occasioned a delay of 128 days in preferring the Crl.R.C.No.SR.17033 of 2016 before this Court and the same is neither wilful nor wanton but due to the aforesaid reasons.

3.This Court, on being subjectively satisfied to the reasons ascribed by the Petitioner at para 2 of his affidavit filed in support of Crl.M.P.No.4475 of 2016 and by taking a lenient and liberal approach, in the interest of justice, condones the delay of 128 days in the subject matter in issue and accordingly, the Crl.M.P.No.4475 of 2016 in Crl.R.C.Sr.No.17033 of 2016 is allowed.

**21.04.2016**

Index: Yes  
Internet: Yes

DP

**M.VENUGOPAL, J.**

DP

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