

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **C.T.SELVAM**

Crl.M.P.No.5867 of 2016

in

Crl.R.C.No.16326 of 2016

K.A.Sharbudeen

.. Petitioner

vs.

Dhaslim Fathima

.. Respondent

Prayer in Criminal Miscellaneous Petition: This petition is filed under Section 5 of Limitation Act to condone the delay of 177 days in filing the criminal revision case against the judgment of conviction and sentence passed by the learned Principal Subordinate Judge, Cuddalore in Criminal Appeal No.38 of 2014 dated 09.06.2015 confirming the order of conviction and sentence passed in M.C.No.10 of 2013 dated 24.07.2014 on the file of the learned Judicial Magistrate No.I, Chidambaram.

Prayer in Criminal RC SR 16326 of 2016: This petition is filed under Section 397 and 401 of the Code of Criminal Procedure to call for the records in Criminal Appeal No.38 of 2014 dated 09.06.2015 on the file of the learned Principal Sessions Judge, Cuddalore and to set aside the judgment of conviction and sentence passed in M.C.No.10 of 2013 dated 24.07.2014

For Petitioner ... Mr.S.Doraisamy
For Respondent ... Mr.K.V.Sridharan

ORDER

This petition is filed to condone the delay of 65 days in filing the above criminal revision petition against the conviction and sentence passed by the learned Principal Sessions Judge, Namakkal in Criminal Appeal No.38 of 2014 dated 09.06.2015 confirming the order of conviction and sentence passed in M.C.No.10 of 2013 dated 24.07.2014 by the learned Judicial Magistrate No.I, Chidambaram.

2. This Court under orders dated 29.09.2016 directed petitioner to pay a sum of Rs.2,000/- (Two thousand only) to the respondent on or before 06.10.2016. This Court has also observed that failure on the part of the petitioner to do so, the same would result in dismissal of petition automatically.

3. When the matter is taken up for hearing, learned counsel for petitioner sought further time to comply with the order of this Court dated 29.09.2016.

4. Despite being informed, the petitioner has not chosen to comply with the conditional order dated 29.09.2016 within the stipulated time. Hence, this criminal miscellaneous petition is dismissed. Consequently, Criminal Revision SR No.16326 of 2016 is rejected.

18.10.2016

To

- 1.The Principal Sessions Judge,
Cuddalore.
- 2.The Judicial Magistrate No.I,
Chidambaram.

C.T.SELVAM, J.

cla

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