



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Fourth day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU
and

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP(MD) No.10772 of 2016
IN
CRL A(MD) No.250 of 2015

LAZER @ RAJAN

... PETITIONER

Vs

THE INSPECTOR OF POLICE
KADAYALUMOODU POLICE STATION, KANYAKUMARI
DISTRICT CR.NO. 13 OF 2015

... RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to condone the delay of 141 days in filing the Restoration Petition in Crl. Appeal No. 250 of 2015 which was dismissed for default on 12.04.2016 on the file of this Honourable Court.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.K.SEEMARAJ, Advocate for the petitioner and of Mr.R.Ramachandran, Addl.Public Prosecutor on behalf of the Respondents the court made the following order:-

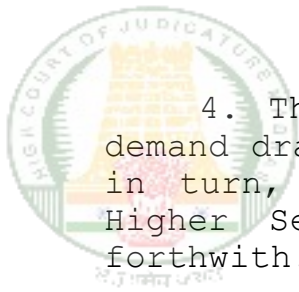
[Order of the Court was made by **S.NAGAMUTHU, J**].

This petition has been filed seeking to condone the delay of 141 days in filing the petition to restore the Criminal Appeal, which was dismissed for default on 12.04.2016.

2. Having regard to the averments made in the affidavit and also the submission made by the learned counsel for the petitioner, we are inclined to condone the delay. Accordingly, this petition is allowed and the delay of 141 days in filing the restoration petition is condoned on condition that the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only), as cost. The cost amount shall be paid by way of demand draft drawn in the name of the Headmaster, Government Higher Secondary School, Vandaiyar Iruppu, Thanjavur District. The Headmaster of the said School is directed to spend the said amount for renovating the toilet facilities available in the School for the students.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel would submit that he would pay the amount on 08.11.2016.



4. The learned counsel for the petitioner shall present the demand draft to the Registrar (Administration) of this Bench, who, in turn, shall forward the same to the Headmaster, Government Higher Secondary School, Vandaiyar Iruppu, Thanjavur District forthwith.

WEB COPY 5. The Registry is, therefore, directed to list the restoration application on 09.11.2016.

sd/-
04/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.3)

TO

- 1 THE REGISTRAR (ADMINISTRATION)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE INSPECTOR OF POLICE
KADAYALUMOODU POLICE STATION,
KANYAKUMARI DISTRICT
CR.NO. 13 OF 2015
- 4 THE HEADMASTER
GOVERNMENT HIGHER SECONDARY SCHOOL,
VANDAIYAR IRUPPU, THANJAVUR DISTRICT.

ORDER
IN
CRL MP (MD) No.10772 of 2016
IN
CRL A (MD) No.250 of 2015
Date :04/11/2016

SML
ANR/MPA/SAR3/04.11.2016/2P/5C