

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C. No.2373 of 2014

ORDER

Petitioner preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the order dated 16-09-2014 in Crl.M.P.No.679 of 2013 in Criminal Appeal (SR) No.6221 of 2013 on the file of Metropolitan Sessions Judge, Cyberabad at L.B.Nagar, whereby the learned Sessions Judge dismissed the petition filed by the petitioner under Section 127 Criminal Rules of Practice praying the court to condone the delay of 96 days in preferring the appeal.

Heard and perused.

The learned counsel for the petitioner submits that the lower appellate court ought to have allowed the Crl.M.P.No.679 of 2013 by condoning the delay of 96 days liberally by appreciating the condition of the petitioner in not filing the appeal within time as he left for his agricultural operations and was also in financial crisis in engaging his counsel by paying fee and obtaining certified copies of the order.

Even after service of notice, the 1st respondent has not appeared, hence, this court is of the view that the 1st respondent is also not having any objection to allow the revision.

Considering the facts and circumstances of the case, the Criminal Revision Case is disposed of as follows :

The lower appellate Court is directed to number the appeal and dispose of the same in accordance with law.

Accordingly, the Criminal Revision Case is disposed of.

Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

08th February, 2016

skmr