



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2017

CORAM

THE HONOURABLE MR.JUSTICE B.GOKULDAS

CRL.R.C. (MD) No.774 of 2016
and
CrI.M.P. (MD) .No.11072 of 2016

A.Muthu Kumar

... Petitioner/Respondent

Vs.

M.Selvam

... Respondent/Petitioner

Prayer: The Criminal Revision Petition is filed under Section 397 r/w. Section 401 of Cr.P.C., against the order dated 20.09.2016 passed in C.M.P.No.620 of 2016 on the file of learned Judicial Magistrate / Fast Track Court (Magisterial Level) No.I, Nagercoil, wherein the petition filed by the respondent herein to condone the delay of 281 days in representing the complaint was allowed.

For Petitioner : Mr.A.Thiruvadikumar

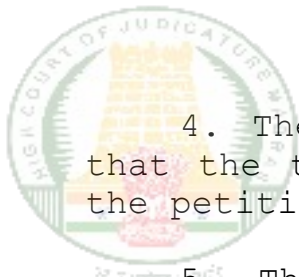
For Respondent : Mr.C.T.Perumal

O R D E R

The Criminal Revision Petition is filed against the order dated 20.09.2016 passed in C.M.P.No.620 of 2016 on the file of learned Judicial Magistrate / Fast Track Court (Magisterial Level) No.I, Nagercoil.

2. The respondent herein has filed a petition under Section 5 of Limitation Act to condone the delay of 281 days in representing the complaint before the learned Judicial Magistrate / Fast Track Court (Magisterial Level) No.I, Nagercoil and the same was allowed. Aggrieved over the same, the petitioner has preferred this Criminal Revision Petition.

3. The learned counsel for the petitioner would submit that the learned Judicial Magistrate / Fast Track Court (Magisterial Level) No.I, Nagercoil has allowed the application filed by the respondent to condone the delay in representing the papers mechanically without scrutinising the records.



4. The learned counsel appearing for the respondent submits that the trial Court, after considering all the aspects, allowed the petition filed by the respondent herein.

5. This Court has considered the submissions made by the learned counsel for the petitioner, the learned counsel for the respondent and perused the records.

6. This Court is of the considered view that there is no arguable points in this criminal revision petition and the trial Court has considered all the aspects and allowed the petition filed by the respondent and hence, the order passed by the learned Judicial Magistrate / Fast Track Court (Magisterial Level) No.I, Nagercoil in Cr.M.P.No.620 of 2016, dated 20.09.2016 does not suffer from any infirmity and no interference is required by this Court.

7. In the result, this Criminal Revision Petition is dismissed and the learned Judicial Magistrate / Fast Track Court (Magisterial Level) No.I, Nagercoil is directed to dispose of the case in S.T.C.No.149 of 2014 within a period of six months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

The Judicial Magistrate / Fast Track Court
(Magisterial Level) No.I, Nagercoil.

+1cc to M/s.C.T.PERUMAL, Advocate, in SR No.7366
+1cc to M/s.A.THIRUVADIKUMAR, Advocate, in SR No.7373

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