

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.R.C.NO.3299 OF 2016

ORDER:

This criminal revision case is filed under Sections 397 and 401 of Cr.P.C. challenging the order, dated 07.04.2016 in CrI.M.P.No.2144 of 2015 passed by the Metropolitan Sessions Judge, Hyderabad dismissing the petition filed for condonation of delay of 224 days in preferring the criminal revision.

2. The petitioner filed petition under Section 5 of Limitation Act for condonation of delay of 224 days in preferring the revision on different grounds; at one stage, his contention was that he fell ill due to the harassment caused by the counsel for the accused and at another stage, the revision petitioner contended that due to tension and harassment caused by the counsel for the accused, he misplaced the entire file which was not traceable at right time and was unable to file revision, thereby there is delay of 224 days in filing the revision case.

3. The trial Court after considering the inconsistent contentions raised by the petitioner, disbelieved the reason assigned by the petitioner and dismissed the petition.

4. As seen from the material on record, the reason assigned by the petitioner is totally inconsistent to one another and he made allegations against the counsel for the accused as they allegedly subjected him to harassment and thereby he misplaced the entire file and thereby he could not file the revision. But, the reason assigned by the petitioner is most artificial, imaginary and based on such contention of harassment of counsel, misplacing of file by the petitioner is totally unbelievable and improbable to the natural circumstances. Therefore, the District Court rightly disbelieved the reason assigned by the petitioner for condoning the

delay of 224 days in filing the revision case. Even before this Court also, nothing is placed to contend that the cause shown by the petitioner is sufficient cause which prevented him from filing the revision. In such a case, this Court cannot interfere with the order passed by the Sessions Court. Hence, the revision case is liable to be dismissed.

5. In the result, the criminal revision case is dismissed. Miscellaneous petitions, if any, pending in this case shall stand closed.

M.SATYANARAYANA MURTHY,J

DATE:03-08-2017
ccm



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