



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2018

CORAM:

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.R.C(MD)No.450 of 2018

1.M.Francis
2.Sahayababy Vanitha : Petitioners /Petitioners/Appellants/
Respondents No.1 to 3
Vs.

Thusnevis Mary : Respondent/Respondent/Respondent/
Petitioner

PRAYER: Revision filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for the records relating to the order passed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil dated 10.07.2018 in Crl.M.P.No.2024 of 2017 in Crl.A.Un numbered of 2017 and set aside the same and consequently allow the said application.

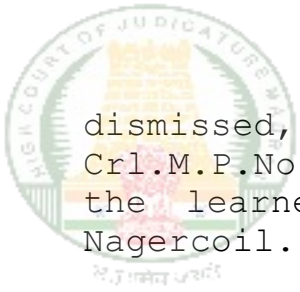
For Petitioners : Mr.N.Dilip Kumar

ORDER

This Criminal Revision Case is filed praying to set aside the order dated 10.07.2018 passed in Crl.M.P.No.2024 of 2017 in Crl.A.Un numbered of 2017, on the file of the learned Principal Sessions Judge, Kanyakumari District at Nagercoil.

2.The petitioners herein aggrieved by the *ex parte* order dated 06.10.2016 passed in D.V.O.P.No.15 of 2016, has preferred a miscellaneous petition in Crl.M.P.No.4508 of 2016 before the Trial Court to set aside that order. However, the Trial Court, after considering the same, has dismissed the same and advised the petitioners to approach the appellate Court to file an appeal. Since, there is a delay of 182 days in filing the appeal, the petitioners filed Crl.M.P.No.2024 of 2017 before the appellate Court and the same was dismissed. Aggrieved over the same, the petitioners are before this Court with this revision.

3.The petitioners filed a petition to condone the delay of 182 days in filing the appeal. The matter is arising out of Domestic Violence Act. Though, the *ex parte* order was passed as early on 06.10.2016, the petitioners herein have leisurely approached the Court. Hence, this Criminal Revision Case is



dismissed, confirming the order dated 10.07.2018 passed in Cr1.M.P.No.2024 of 2017 in Cr1.A.Unnumbered of 2017 on the file of the learned Principal Sessions Judge, Kanyakumari District at Nagercoil.

WEB COPY

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Principal Sessions Judge,
Nagercoil, Kanyakumari District.
2. The Principal District Munsif cum Judicial Magistrate,
Eraniel.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Dilip Kumar, Advocate Sr.No.78025

CP

VB/RSK/SAR1/20.09.2018/2P/5C

ORDER MADE IN
Cr1.R.C (MD) No.450 of 2018
10.08.2018