

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.18855 of 2019

1.G.Padmanaban
2.G.Gunaseelan
3.Vasuki

... Petitioners

Vs.

Surya

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Principal Sessions Court, Krishnagiri to number the Criminal Appeal filed by the petitioners in SR No.5655, filed against judgment dated 15.02.2019 passed in D.V.No.3 of 2018 by the Judicial Magistrate, Uthangarai, without reference to period of limitation.

For Petitioner : Mr.J.Bharathiraja

O R D E R

This petition has been filed for a direction to the Court below to number the Criminal Appeal filed by the petitioners against the judgment passed by the Judicial Magistrate, Uthangarai in D.V.No.3 of 2018.

सत्यमेव जयते

2.The learned Counsel for the petitioners submitted that the appeal was filed as early as in the month of June 2019 and till date the appeal has not been numbered and it is being repeatedly returned by the Court below on the ground that it is barred by limitation. The petitioners have re-presented the papers by stating that the appeal has been filed on time. However the Court below is refusing to take the appeal on file and number the same.

3.This Criminal Original Petition is disposed of with a direction to the petitioners to re-present the papers

before the Court below. If the Court below finds that the appeal has been filed on time, the appeal may be numbered and dealt with in accordance with law. If the appeal is barred by limitation, the petitioners are directed to file a petition to condone the delay in filing the appeal and the same shall be dealt with by the Court below in accordance with law.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

The Principal Sessions Court,
Krishnagiri

2.The Judicial Magistrate , Uthagarai

+1cc to Mr. .J.Bharathiraja, Advocate SR.No. 61009

A.SK(19/07/2019)

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