



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty First day of May Two Thousand Twenty

PRESENT

The Hon'ble Mrs.Justice T.KRISHNAVALLI

CRL MP(MD) No.3044 of 2020
IN
CRL RC(MD)SR No.9989 of 2020

IYYAPPAN

... PETITIONER/REVISION PETITIONER/ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.281 OF 2015)

... RESPONDENT/RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to condone the delay of 788 days in preferring the revision petition against the judgment passed by the learned V Additional District Sessions Judge, Madurai in C.A.No.23/2017 dated 24.10.2017 confirming S.C.No.41/2016 on the file of the learned Chief Judicial Magistrate, Madurai dated 10.02.2017,

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.AK.AZAGARSAMI, Advocate for the petitioner and of Mr.V.NEELAKANDAN, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed to condone the delay of 788 days in preferring the criminal revision against the order passed by the V Additional District and Sessions Judge, Madurai, in C.A.No.23 of 2017, dated 24.10.2017, confirming the order of the Chief Judicial Magistrate, Madurai, dated 10.02.2017, made in S.C No.41 of 2016.

2.The learned counsel appearing for the petitioner submitted that the petitioner got a fair chance of success in the main criminal revision and due to misplace of bundle, the criminal revision could not be filed in time and the delay is neither willful nor wanton and prays for allowing this petition.

3.On the other hand, the learned Additional Public Prosecutor



appearing for the respondent strongly opposed by contending that the reasons stated in the petition are not sufficient and the petitioner made false affidavit for filing this application and prays for dismissal of the petition.

4.This court heard the submissions made on either side and also perused the materials available on record.

5.The petitioner stated that he got a fair chance of success in the main criminal revision and there was a delay of 788 days in filing the criminal revision. The reasons stated in the petition are acceptable.

6.This court satisfied with the reasons stated in the affidavit filed in support of this petition and in the interest of justice, the petition is allowed on payment of **Rs.2,000/- (Rupees Two thousand only) to the Chief Justice Relief Fund** on or before 28.05.2020.

7.Post the matter on 28.05.2020 for reporting compliance.

sd/-
21/05/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE V ADDITIONAL DISTRICT SESSIONS JUDGE, MADURAI.
2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:-

THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL MP(MD) No.3044 of 2020 IN
CRL RC(MD)SR No.9989 of 2020
Date :21/05/2020

ER

TE/JC/SAR-III : 22/05/2020 : 2P/6C

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