



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Seventh day of February Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL MP (MD) . No.9837 of 2019

in

CRL RC (MD) SR 32877/2019

K. Sikkandar Bazhusha ... Petitioner/Respondent

Vs

1. N. Yasmine Fatima, (F-32/2019)
D/o.Noor Mohamed,
Mohamadiyar School Teacher
No.1/158, West Street, Siddarkottai, Ramanathapuram District

2. Minor. S.Siyathullah, (M-6/2019)
S/o.Sikkandar Bazhusha
(R2 Rep. by its Mother and Guardian Who is 1st Respondent)
Residing at 1/158,West Street Siddarkottai,
Ramanathapuram District. ... Respondent/Petitioner

Prayer in CRL MP (MD) . No.9837 of 2019:-

This Criminal Miscellaneous Petition filed under Section 5 of Limitation Act, praying this court to condone the delay of 473 days caused to file the instant revision petition against the impugned order passed in MC No.64 of 2017 dated 07.04.2018 by the Chief Judicial Magistrate, Rammathapuram.

Prayer in **CRL RC (MD) SR 32877/2019** :-

This Petition filed under Section 397 R/w 401 of Cr.P.C., praying this Court to call for records in MC No.64 of 2017 on the file of the Chief Judicial Magistrate, Rammathapuram, and to set aside the order passed in MC No.64 of 2017 dated 07.04.2018

ORDER:- This Criminal Miscellaneous Petition coming up for orders on this day, and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.Raja, Advocate for the Petitioner and of Mr.L.Prabhu, Advocate for the respondents, this Court made the following order:

This petition has been filed to condone the delay of 473 days caused to file the instant revision petition against the impugned order passed in M.C.No.64 of 2017, dated 07.04.2018 on the file of the learned Chief Judicial Magistrate, Ramanathapuram till the disposal of the main revision petition.



2.Mr.A.Raja, learned counsel appearing for the petitioner.

3.Mr.L.Prabhu, learned counsel appearing for the respondents has strongly opposed for allowing this petition.

4. Being satisfied with the reasons stated in the affidavit filed in support of the petition and in the interest of justice, this petition is allowed on condition that the petitioner is directed to deposit a sum of Rs.75,000/- (Rupees Seventy five thousand only) to the credit of M.C.No.64 of 2017 on the file of the learned Chief Judicial Magistrate, Ramanathapuram, within a period of two weeks from today, failing which this petition shall stand dismissed automatically without further reference to this Court. On such deposit, the first respondent is permitted to withdraw the deposited amount.

5. The respondents are directed to appear before this Court on 21.02.2020.

6. Call on 21.02.2020.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Chief Judicial Magistrate,
Ramanathapuram.

ORDER DATED : 07/02/2020

=====

ORDER

=====

CRL MP (MD) . No.9837 of 2019
in

CRL RC (MD) SR 32877/2019

Giving direction and etc.
as stated within.

SRK (CO)
TR (10.02.2020) 2P 2C