



Crl.M.P.No.8457 of 2022 in *Crl.R.C.SR No.17442 of 2022*

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D.BHARATHA CHAKRAVARTHY.J.

This Miscellaneous Petition is filed seeking to condone the delay of 676 days in filing the Criminal Revision against the order dated 20.03.2018 passed by the learned Additional Principal Judge, Additional Family Court, Coimbatore, in C.M.P.No.7 of 2018 in C.M.P.No.154 of 2015 in M.C.No.200 of 2011.

2. The learned counsel appearing on behalf of the petitioner submitted that the delay has been explained in the affidavit filed in support of the application and seeks to condone the delay.

3. The learned counsel appearing on behalf of the respondents submitted that as on date, there are arrears of more than Rs.25,00,000/- which is due and therefore, he submitted that in the event of this court being inclined to condone the delay, appropriate conditions may be imposed on the petitioner.



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4. On that score, when the petitioner was queried about the arrears, the learned counsel for the petitioner took pass over and submitted that instead of the payment made by his client, the arrears have to be calculated at the rate of Rs.20,000/- per month and he is now willing to deposit a sum of Rs.5,00,000/- as a condition for condoning the delay.

5. I have considered the rival submissions made on either side.

6. Even though the learned counsel for the respondent submitted that the arrears payable are more, the same can be taken into account at the time of admission of the main Criminal Revision and now, for the purpose of condonation of delay, the same can be ordered on condition that the petitioner pays the said sum of Rs.5,00,000/- directly to the 1st respondent guardian which can be account as to the payment of the 2nd respondent.

7. In view thereof, this miscellaneous petition is ordered on the following conditions:-

(i) the delay of 676 days in filing the Criminal Revision is condoned on condition that the petitioner shall pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) by way of Demand Draft or any other electronic mode



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directly to the 1st respondent guardian within a period of four weeks from the date of receipt of a copy of this order.

(ii) It is made clear that there will be no further extension of time granted in the matter and if the petitioner fails to pay the above said amount within the time frame stipulated by this court, the petition for condonation of delay shall stand automatically dismissed without any reference to this court.

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