



WEB COPY



*Crl.M.P.No.12283 of 2022
in Crl.R.C.SR.No.34656 of 2022*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.12283 of 2022
in
Crl.R.C.SR.No.34656 of 2022

T.Suyampulingam

... Petitioner

Versus

S.Vivekananthan

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Sections 5 of Limitation Act, 1963 to condone the delay of 238 days in presenting the Criminal Revision against order, dated 10.09.2019 made in C.M.P.No.3240 of 2019 on the file of the learned Judicial Magistrate No.II, Tirupur.

For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.N.Manoj Kumar

ORDER

The Revision Case is filed against an order of the learned Magistrate refusing to refer the complaint for investigation under Section 156(3) of Cr.P.C.

As per the complaint, the occurrence happened on 22.04.2019 and therefore, if



Crl.M.P.No.12283 of 2022
in Crl.R.C.SR.No.34656 of 2022

no action has been taken against the particular incident, when the learned Magistrate has dismissed the petition, filing this Revision Case with a delay of 238 days causes serious prejudice and at this belated stage, no proper investigation can also be made.

2. Considering the nature and circumstances of the case, I am of the view that it is not possible to condone the delay of 238 days.

3. Therefore, the petition is dismissed and accordingly, the Crl.R.C.SR.No.34656 of 2022 is rejected.

26.08.2022

Index : yes/no
Internet: yes/no
Speaking order/Non-speaking order
grs

To

The Judicial Magistrate No.II,
Tirupur.



WEB COPY



Crl.M.P.No.12283 of 2022
in Crl.R.C.SR.No.34656 of 2022

D.BHARATHA CHAKRAVARTHY. J.,

grs

Crl.M.P.No.12283 of 2022
in Crl.R.C.SR.No.34656 of 2022

26.08.2022