



Crl.RC.SR.No.38700 of 2022 and
Crl.M.P.No.13270 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM

THE HONOURABLE **MR.JUSTICE.P.VELMURUGAN**

Crl.RC.SR.No.38700 of 2022 and
Crl.M.P.No.13270 of 2022

Appapillai Mohammed Rafiullah

... Appellant

vs.

1.Jalal Umme Ruman

2.Zainab Fathima

Minor aged about 5 years

Rep., by her mother and
natural Guardian

Mrs.Jalal Umme Ruman

.... Respondents

Prayer in Crl.M.P.No.13270 of 2022: Criminal Miscellaneous Petition has been filed under Section 5 of Limitation Act, seeking to condone the delay of 48 days in filing the criminal revision.

Prayer in Crl.RC.SR.No.38700 of 2022: Criminal revision case has been filed under Section 397/401 of Cr.P.C. to set aside the order dated 28.01.2022 of the V Additional Family Court, Chennai in M.P.No.235 of 2021 in MC.No.67 of 2020

Appellant : M/s.G.Rajathi

Respondent : Mr.S.Sugendran

Additional Public Prosecutor



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ORDER

Reference may be made to the order of this Court on 23.09.2022,
which is reproduced as hereunder:-

This petition has been filed to condone the delay of 48 days in filing the above Criminal Revision Case.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent and also perused the materials available on record.

3. The reasons stated in the affidavit filed in support of the petition is not satisfied, however, in order to give opportunity to the petitioner, the delay is condoned that the petitioner shall deposit entire arrears amount as ordered by the Family Court, Chennai from the date of filing the petition to till date to the credit of Crl.M.P.No.13270 of 2022 before this Court on or before 20.10.2022, failing which, the delay condoned is automatically cancelled without any further reference to the Court. Accordingly, this petition is ordered.

4. Post the matter on 26.10.2022 “for reporting compliance”.



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2. Pursuant to the order of this Court dated 23.09.2022, the petitioner has not complied with the condition imposed by this Court and accordingly, the petition filed to condone the delay of 48 days in filing the above Criminal Revision case, is dismissed.

3. In view of the order of this Court in Crl.M.P.No.13270 of 2022, dated 26.10.2022, the Criminal Revision is rejected at the SR stage itself.

26.10.2022

Index : Yes/No
Internet: Yes/No
pbn

To

V Additional Family Court, Chennai

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