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*Crl.M.P.No.13658 of 2021
in Crl.RC.SR.No.45489 of 2021*

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R.PONGIAPPAN, J.

The present petition has been filed to condone the delay of 517 days in filing the criminal revision against the order dated 19.09.2018 passed in Crl.A.No.274 of 2016 on the file of the learned VI Additional Judge, City Civil Court at Chennai.

2. Heard the learned counsel appearing for the petitioner. Though the learned counsel Mr.P.Dhananjayan takes notice for the respondent, so far he has not filed any vakalat on behalf of the respondent. However in the cause list, the name of the respondent is printed.

3. The petitioner is an accused in CC.No.5205 of 2012 on the file of the Metropolitan Magistrate, Fast Track Court No.I, Egmore, Chennai After elaborate trial, the learned Metropolitan Magistrate came to the conclusion that the petitioner / accused is found guilty under Section 138 of NI Act and sentenced to undergo simple imprisonment for eight months and directed to pay compensation of Rs.30,00,000/- to the complainant. Aggrieved over the



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same, the petitioner herein preferred an appeal in Crl.A.No.274 of 2016 on the file of the learned VI Additional Judge, City Civil Court, Chennai, wherein by judgment dated 19.09.2018, the learned VI Additional Judge came to the conclusion that the appeal filed by the petitioner is not having any merits and accordingly dismissed the appeal.

4. Later, challenging the concurrent findings, the petitioner / accused intended to file a criminal revision, but the same has not been done within the appropriate period. Therefore, the petitioner is before this Court with this petition for condoning the delay of 517 days in filing the criminal revision.

5. The learned counsel appearing for the petitioner would contend that the petitioner is a widow not having any legal knowledge about the procedure adopted in filing the criminal revision. He would further submit that after numbering the criminal revision, the petitioner is ready to settle the entire dispute with the respondent and therefore it would necessary to condone the delay in filing the criminal revision. In respect to the



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respondent, as already stated, after informing the filing of the petition, he has not turned up for raising his objection. In the said occasion, being the reason that the present petition has been filed challenging the concurrent findings wherein the petitioner was convicted and also for the reason that the delay prayed to be condoned is not inordinate, therefore this court is inclined to allow this petition.

6. Accordingly, this miscellaneous petition is allowed. Registry is directed to number the criminal revision, if it is otherwise in order.

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