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Crl.R.C.No.1130 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Gayathri

... Petitioner

Versus

Janagiraman

... Respondent

Prayer: Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the order, dated 14.10.2019 passed by the learned Judicial Magistrate No.I, Ponneri in C.M.P.No.987 of 2019 in S.T.C.(Unnumber) D.No.508 of 2019 and by allowing the present Criminal Revision Petition.

For Petitioner : Mr.C.Girishbabu

For Respondent : Mr.R.Suresh Kumar

ORDER

This Revision Case is filed against the order of the learned Judicial Magistrate No.I, Ponneri in C.M.P.No.987 of 2019, in and by which, a delay of 211 days, in filing the complaint, has been condoned by the learned Judicial Magistrate, Ponneri.



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2. The respondent/complainant had filed an application for condonation of delay with a specific reason that in the interregnum, he has misplaced the cheque and after tracing out the cheque, the complaint was filed and therefore, there is a delay of 211 days in filing the complaint. Having satisfied with the reasons given in the complaint, the Trial Court allowed the same on payment of Rs.1,000/- as costs. Aggrieved by the same, the petitioner/accused is before the Court.

3. The learned Counsel for the petitioner would submit that without any proper ground and satisfactory reason, the delay is condoned. The accused has a right of speedy trial and if the complainant willfully filed the complaint belatedly, the Trial Court ought not to have been condoned the same.

4. I have considered the rival submissions made on behalf of either side and perused the material records of the case. In this case, the delay is 211 days. The reason mentioned in the application is misplacement of the cheque. In that view of the matter, I am of the view that the reason mentioned in the application is a proper reason and the Trial Court has rightly condoned the delay that too on imposition of costs.



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5. Therefore, finding no merits, this Criminal Revision Case is dismissed.

WEB CON Consequently, Crl.M.P.No.15209 of 2019 is closed.

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Index : yes/no

Speaking order/Non-speaking order

grs

To

The Judicial Magistrate No.I,
Ponneri.



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D.BHARATHA CHAKRAVARTHY. J.,
grs

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