



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Seventeenth day of February Two Thousand and Twenty
Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.2493 of 2022

IN

CRL RC(MD) No.142 of 2014

R.CHANDRASEKARAN

... PETITIONER/PETITIONER/
APPELLANT/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
TRAFFIC POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.32 OF 2010)

... RESPONDENT/RESPONDENT/
RESPONDENT/COMPLAINANT

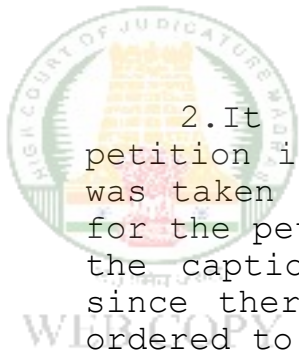
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Condone the delay of 242 days in filling application to restore the Criminal Revision in Crl.R.C.(MD) No.142/2014.

PRAYER IN CRL RC(MD) No.142 of 2014:

To call for the records pertaining judgment and conviction passed by the learned I Additional District Judge (PCR), Thiruchirapalli, in C.A.No.16 of 2013 dated 10.09.2013 confirming the judgment and conviction passed by the learned Judicial Magistrate, No.V, Thiruchirapalli District in C.C.No.61 of 2010 dated 23.04.2013 convicting the petitioner for the alleged offence under Section 304(A) of IPC and sentenced to undergo one year simple imprisonment and to pay a fine of Rs.2,000/- and in default to undergo one month simple imprisonment and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.A.ZUBAITHA BANU, Advocate for the petitioner and of MR.M.MUTHUMANIKKAM, GOVERNMENT ADVOCATE (CRL.SIDE) on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous petition came to be filed for seeking orders to condone the delay of 242 days in filing the application to restore the Crl.R.C(MD)No.142 of 2014, which was ordered to be dismissed on 18.06.2019.



2.It is seen from the records that the Criminal Revision petition is pending from the year 2014 onwards and when the matter was taken up for hearing on 10.06.2019, there was no representation for the petitioner and hence the matter was ordered to be post under the caption "for dismissal" on 18.06.2019. On 18.06.2019 also, since there was no representation, the Criminal Revision Case was ordered to be dismissed for non prosecution.

3.The petitioner in the affidavit filed in support of this petition, has stated that due to ill health, he could not file the application.

4.The learned Government Advocate (Criminal side) would submit that he has no serious objection to condone the delay.

5.Considering the above, this Court is inclined to condone the delay, but on terms. The petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the Madurai Bench of Madras High Court Advocates Welfare Fund [Indian Bank High Court Branch, Madurai, Current Account No.7087208431, IFSC IDIBI000H040], within a period of two weeks from the date of receipt of a copy of this order.

6.With the above direction, this Criminal Miscellaneous Petition stands allowed.

sd/-
17/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE I ADDITIONAL DISTRICTJUDGE (PCR),
TRICHY DISTRICT.



2 THE JUDICIAL MAGISTRATE NO.V,
TRICHY DISTRICT.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

4 THE INSPECTOR OF POLICE
TRAFFIC POLICE STATION,
TRICHY DISTRICT.

5 THE OFFICER INCHARGE,
ADVOCATES WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M/S.T.A.PUNITHAN, Advocate (SR-1279[I] dated
18/02/2022)

ORDER
IN
CRL MP (MD) No.2493 of 2022
IN
CRL RC (MD) No.142 of 2014
Date :17/02/2022

RS/VR/SAR.1 (25.02.2022) 3P-8C