



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.(MD) No.10128 of 2019
in
Crl.R.C(MD)SR.No.32598 of 2019

1. Shahinsha
2. Sabibulla Bava

...Petitioners

Vs.

State represented by
The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
(Crime No. 368 of 2013)

...Respondent

PRAYER in Crl.M.P(MD)No.10128 of 2019: Criminal Miscellaneous Petition filed under Section 5 of Limitation Act, praying this Court to condone the delay of 1310 days in filing the Criminal Revision against the impugned order dated 19.02.2016 in C.C.No.57 of 2016 on the file of Learned Judicial Magistrate No.II, Madurai.

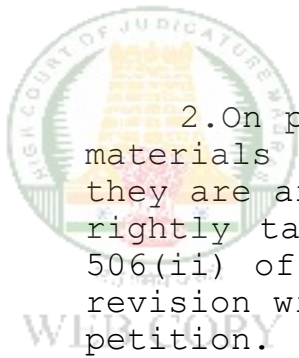
PRAYER In Crl.R.C.(MD)SR. No.32598 of 2019: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to set aside the order dated 19.02.2016 in C.C.No.57 of 2016 on the file of Judicial Magistrate No.II, Madurai.

For Petitioner : Mr.P.Ramasamy

For Respondent : M/s.Aasha
Government Advocate

ORDER

The criminal miscellaneous petition has been filed to condone the delay of 1310 days in filing the criminal revision petition. The criminal revision petition has been filed challenging the order of taking cognizance in C.C.No.57 of 2016, on the file of the Judicial Magistrate No.II, Madurai for the offences under Sections 294(b), 326 and 506(ii) of IPC.



2.On perusal of the charge sheet, it is revealed that there are materials to attract those offences as against the petitioners and they are arrayed as Accused Nos.1 and 2. Therefore, the Court below rightly taken cognizance for the offences under Section 294, 326, 506(ii) of IPC. Aggrieved by the same, the petitioners preferred a revision with the delay of 1310 days in filing the criminal revision petition.

3.On perusal of the affidavit filed in support of the condone delay petition, the petitioners have stated that they received the certified copy of the cognizance order in the year 2019 and as such, except that reason, there is no other sufficient reason stated by the petitioners to condone the huge delay of 1310 days in filing the revision petition.

4.That apart, the petitioners have no merits to maintain the revision petition and as such, this Court is not inclined to allow this criminal miscellaneous petition and the same is dismissed. Consequently, the connected criminal revision petition in Crl.R.C (MD)SR.No.32598 of 2019 is rejected in SR stage itself.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar

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 Judicial Magistrate No.II, Madurai.

2. The Inspector of Police,
Karuppayoorani Police Station, Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.M.P. (MD) No.10128 of 2019
in

Crl.R.C (MD) SR.No.32598 of 2019
03.03.2022

lr
MS/17.03.2022/2P.4C