



WEB COPY



Crl.M.P.No. 1486 of 2023
in
Crl.R.C.SR. No. 5150 of 2023

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 73 days in filing the above Criminal Revision Petition against the order dated 12.08.2022 passed in Crl. M.P. No.5336 of 2021 in Crime No. 7 of 2020 by the Chief Judicial Magistrate Court, Vellore rejecting the application filed by the petitioner for return of property.

2. Mr.K.V.Shanmuganathan, learned counsel for revision petitioner submitted that unfortunately he misplaced the impugned order in the office and despite best efforts made by him, he could not retrieve the same till 26.01.2023. Now, after retrieving the impugned order, he has immediately presented the same on 27.01.2023. He would submit that the Criminal Revision Petition ought to have been filed within 90 days from the date of impugned judgment i.e. on or before 01.12.2022, however, due to the aforesaid reasons, it could not be filed within time and there is a delay of 73 days arose and the delay is neither willful nor wanton. Hence, he filed this petition to condone the delay.



4. Considering his submissions and also the facts and circumstances , and being satisfied with the reasons assigned in the affidavit filed in support of the petition seeking to condone delay of 73 days, this Court is inclined to allow this petition on condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) as non-refundable deposit into the credit of **SIVA SAKTHI SATHYA SAI CHARITABLE TRUST, Savings Bank A/c No. 10052444099, IFSC Code:- IDFB0080135, IDFC FIRST BANK LTD, VALASARAVAKKAM, CHENNAI 87, GOOGLE PAY MOBILE NO. 9840856746 Siva Sakthi Homes, PHONE PE 9840856746 within a week from the date of receipt of copy of this order.** Registry is directed to number the Crl.R.C., if the papers are otherwise found to be in order.

20.02.2023

rpp



WEB COPY



T.V.THAMILSELVI, J.

rpp

Crl.M.P.No. 1486 of 2023
in
Crl.R.C.SR. No. 5150 of 2023

20.02.2023