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CrI.M.P.No.5030 of 2023
in CrI.R.C.SR.No.59630 of 2022
G.K.ILANTHIRAIYAN, J.

This Criminal Miscellaneous Petition has been filed to condone the delay of 1644 days in filing the main Criminal Revision Petition against the order passed in CrI.M.P.No.4712 of 2015 on the file of the XI Metropolitan Magistrate, Saidapet, Chennai.

2. A perusal of the affidavit filed in support of the petition for condonation of huge delay of 1644 days in filing the revision revealed that the counsel who appeared before the Trial Court had suspended his practice. Therefore, the revision petitioner could not get any legal advise. That apart, the petitioner was under the impression that the Trial Court had taken cognizance as against all the accused. Therefore, the petitioner had knowledge about the cognizance taken as against A2, A6 and A7. That apart, the reasons stated by the petitioner is not sufficient to condone the huge delay of 1644 days. Even after receipt of the notice from the quash petition in CrI.O.P.No.23495 of 2018, the revision petitioner failed to file any revision immediately as against the order of not taking cognizance as against other accused.

3. In view of the above, this Court is not inclined to condone the delay of 1644 days in filing the main Criminal Revision Petition. Accordingly, this Criminal Miscellaneous Petition is dismissed.



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However, the revision petitioner is at liberty to invoke the provisions under Sections 216 and 319 of Cr.P.C before the Trial Court during the Trial, if any incriminating material is available.

21.11.2023
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