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Crl.M.P.No.12944 of 2022

Crl.M.P.No.12944 of 2022
in Crl.RC.Sr.No.31247 of 2022

Dr.G.JAYACHANDRAN, J.,

The petitioner herein, who lost his protest petition has filed Revision Petition with a delay of 1343 days. The impugned order was passed on 23.08.2016, whereas the petitioner had thought it fit to prefer revision, nearly after more than 5 years. The petitioner is an Advocate and he has filed this petition as party in person. He claims that he is suffering from serious ailments and also due to covid situation, he could not pursue the revision petition within the stipulated time.

2. The petitioner has circulated the Judgment of this Court rendered in **Subramania Achari Vs Sathyabama and another** reported in **1995 CrL.L.J. 1211** wherein, the delay of 1343 days was condoned by this Court after being satisfied with the possible explanation adduced by the petitioner.

3. The facts of the case cited above regarding complaint given by the petitioner therein alleging the illegal seizure of gold ornaments from his



jewellery shop. Since the complaint filed by him was dismissed, Criminal Appeal was preferred by him before the Sessions Court. He engaged the lawyer, but unfortunately, his lawyer has not pursued the appeal properly and he claims to know about the disposal of the appeal after a long time and hence to pursue his relief, he preferred the petition before the High Court by that time, 1343 days delay which was condoned by this Court on being satisfied with the reasons. Whereas in this case, the affidavit filed by the petitioner, who is an Advocate by profession and party in person, stated that the reason for delay in para 3 & 4 of his affidavit which reads as below:

In para -3, he had stated that between August 2016 and March 2020 he has been suffering from diabetes, sinus problem, diabetic neuropathy and Vitigo problems. I have to take medication from various doctors including in Government Royapettah Hospital. As a result of which, I could not prefer the present Criminal Revision Petition within the stipulated time of 90 days.

In para -4, he had stated that between March 2020 and February 2022, Covid had intervened and therefore he could not file the Criminal Revision Petition in between the period aforesaid.



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4. This Court being functioning even during the covid period by receiving petitions through on-line. That apart functioning of the Court being restored atleast 1 1/2 years ago. However, the petitioner has filed this Revision Petition though belatedly citing covid situation which has lost his sight a year ago. Since this Court is not satisfied with the reasons stated in the affidavit, the petition to condone delay is dismissed.

04.07.2023

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