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Crl.M.P.No.17145 of 2023

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in
Crl.R.C.SR.No.52456 of 2023

M. NIRMAL KUMAR, J.

This petition is filed to condone the delay of 323 days in filing the above revision.

2.In continuation and conjunction to the earlier order passed by this Court on 15.11.2023, today, the learned counsel for the first respondent filed his counter.

3.The contention of the first respondent is that on 03.09.2022, summons issued. The revision petitioner herein filed his objections before the Lower Court and thereafter challenging the same, the present revision has been filed before this Court with a delay of 323 days, which cannot be condoned. He further submitted that the case is now posted before the Lower Court for enquiry. At this stage, challenging the summons would not arise. Further, the delay of 323 days has not been properly explained.

4.On perusal of the affidavit it is seen that the petitioner, who is the Superintendent of Police, Ranipet District was involved in sensational investigation with regard to ATM robbery, wherein the ATM was broken up and robbery committed by interstate gang. Further, she was also directed to



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appear in the police conference held in Secretariat and in law and order situation, wherein she has to visit the scene of crime, travel to nook and corner of the District and hence, the delay has occurred. Further, this Court finds that the main issue itself can be decided in the revision, denying the petitioner on technicalities would not be proper. In view of the same, this Court is inclined to condone the delay.

5.As regards the other respondents, there is serious objections in condoning the delay.

6.Accordingly, the delay stands condoned and the petition is ordered.

7.Registry is directed to number the Criminal Revision, if it is otherwise in order and post the same for admission on 10.01.2024.

8.Interim order already granted by this Court is extended till then.

13.12.2023

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