



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P. (MD) No.1648 of 2023
in
Crl.R.C. (MD) SR.No.3804 of 2023

C.VADIVEL RAJ

... PETITIONER/PETITIONER

Vs

N.KRISHNAN NAIR

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to condone the delay of 123 days in filing the Criminal Revision Petition against the Judgment passed in Criminal Appeal No.97/2010 on the file of the Learned Additional District Judge, Kuzhithurai dated 27/06/2022 confirming the Judgment in STC No.1686/2009 on the file of the Learned Judicial Magistrate No.I, Kuzhithurai dated 21.10.2010.

Prayer in Crl RC(MD)SR.NO.3804 OF 2023:

Pleased to admit this Revision on file, to call for the records from the Lower Courts and set aside the Judgment of the Appellate Court passed by the Learned Additional District Judge, Kuzhithurai in Criminal Appeal No.97 of 2010 dated 27.06.2022 confirming the Judgment in S.T.C.No. 1686 of 2009 dated 21.10.2010 on the file of the Learned Judicial Magistrate No.I, Kuzhithurai by allowing this Revision.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.RAJARAM A, Advocate for the petitioner and of MR.C.KISHORE, Advocate on behalf of the Respondent, the court made the following order:-

The above application has been filed seeking orders to condone the delay of 123 days in filing the criminal revision challenging the judgment passed in C.A.No.97 of 2010 on the file of the Additional District Court, Kuzhithurai confirming the judgment passed in S.T.C.No.1686 of 2009 on the file of the Judicial Magistrate No.I, Kuzhithurai.



2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that out of cheque amount of Rs.1,50,000/-, Rs.75,000/- has already been deposited before the appellate Court.

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3. Heard the learned counsel on both the sides.

4. Considering the facts and circumstances of the case and also the quantum of delay, this Court is inclined to condone the delay of 123 days in filing the criminal revision on condition that the petitioner has to deposit the remaining cheque amount before the trial Court, on or before **12.04.2023**, failing which, the petition shall stand dismissed automatically.

5. Post the matter on **13.04.2023**.

sd/-
14/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM

TO

- 1 THE ADDITIONAL DISTRICT JUDGE,
KUZHITHURAI.
- 2 THE JUDICIAL MAGISTRATE NO. I
KUZHITHURAI.
- 3 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL.

+1 CC to M/s.C.KISHORE, Advocate (SR-4282[I] dated 15/03/2023)

ORDER
IN
Crl.M.P. (MD) No.1648 of 2023
in
Crl.R.C. (MD) SR.No.3804 of 2023
Date :14/03/2023

PKP/BUC/SAR-1/21.03.2023/ **2P/5C**

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