



CRL MP(MD) No.7149 of 2023

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

Wednesday, the Tenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD) No.7149 of 2023
in
CRL RC(MD)SR.No.26322 of 2018

SAMINATHAN

... PETITIONER/PETITIONER

Vs

RAMESH

... RESPONDENT/RESPONDENT

Criminal Miscellaneous 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 974 days in representing the Criminal Revision case against the conviction and sentence imposed in C.A No.67/2016 by the Principal Sessions Judge, Trichy dated 23.02.2018 by confirming the judgment and conviction in S.T.C.No.789 of 2012 by the Judicial Magistrate Court, Manapparai, dated 22.06.2016.

PRAYER in CRL RC(MD)SR.No.26322 of 2018:

To call for the records and set aside the order in C.A.No.67 of 2016 by the Principal Sessions Judge, Trichy dated 23.02.2018 by confirming the judgment made in S.T.C.No.789 of 2012 by the Judicial Magistrate Court, Manapparai, dated 22.06.2016.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.LENIN KUMAR.T, Advocate for the petitioner, the Court made the following order:-



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This Criminal Miscellaneous Petition has been filed to condone the delay of 974 days in filing the Criminal Revision Case against the conviction and sentence imposed in C.A.No.67 of 2016 by the Principal Sessions Judge, Trichy, dated 23.02.2018 by confirming the judgment and conviction in S.T.C.No.789 of 2012 by the learned Judicial Magistrate Court, Manapparai, dated 22.06.2016.

2.The learned counsel appearing for the petitioner submitted that the case bundle was misplaced with other bundles at his office and the same could not be traced out. Due to which, he is unable to file this revision before this Court within time. Hence, in the interest of justice, he requested this Court to condone the delay.

3.Even though notice was served to the respondent and the same was returned as unclaimed. It is amount to the service of notice.

4.This Court perused the record and the reasons stated in the affidavit filed in support of the condone delay petition.

5.It is the specific case of the petitioner that the case bundle was misplaced with other bundles at his office and the same could not be traced out. Due to which,



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he is unable to file this revision before this Court within time. The said reason is bona fide and the respondent has not adduced any contra evidence. This Court finds no willful negligence on the part of the petitioner in filing this revision with the delay.

6. In view of the special circumstances of the case, this Court inclined to condone the delay with imposing the cost of Rs.3,000/- (Rupees three Thousand Only) to the credit of the Environmental Committee (Account No:7633863037, Registrar (Judicial), Madurai Bench of Madras High Court, Madurai,) within 2 weeks from the date of receipt of order copy, failing which, this petition stands dismissed automatically without further reference to this Court.

7. Accordingly, this petition is allowed. List this case on 26.06.2024 for "reporting compliance".

sd/-
10/04/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG/SBN



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TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
TRICHY.
- 2 THE JUDICIAL MAGISTRATE,
MANAPPARAI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

COPY TO:

THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL MP(MD) No.7149 of 2023
in

CRL RC(MD)SR.No.26322 of 2018

Date :10/04/2024

SS/GS/SAR- /10/06/2024/4P/5C

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