



Crl.R.C.(MD) No.1327 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

Crl.R.C.(MD) No.1327 of 2023

Balakumar

...Petitioner/
Appellant/Accused

Vs.

Thangaraj

...Respondent/
Complainant

PRAYER : Criminal Revision Case has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the impugned order dated 15.03.2023 made in Cr.M.P.No.2092 of 2022 passed by the learned Principal District and Sessions Judge, Karur and set aside the same and enlarge the petitioner on bail.

For Petitioner : Mr.S.Ayyanar Prem Kumar

For Respondent : Mr.R.Mathiyalagan



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ORDER

The petitioner has come forward with this Criminal Revision petition challenging the order dated 15.03.2023 in Crl.M.P.No.2092 of 2022 on the file of the learned Principal District Judge, Karur, whereby the petition filed by him to condone the delay of 5 days in filing the appeal was dismissed.

2. Learned counsel for the petitioner submits that the petitioner has filed a petition seeking to condone the delay of five days in filing the appeal against the conviction and sentence imposed upon him by the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Karur and that due to the illness of the petitioner, he failed to appear before the Court below.

3. The main grievance of the petitioner is that without considering the fact regarding his illness, the said petition was dismissed for non-prosecution on 15.03.2024. Aggrieved over the same, the present revision has been filed by the petitioner.



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4. Heard the learned counsel for the parties and perused the record.

5. Upon considering the submissions and on perusing the affidavit filed in support of the petition, the revision petitioner has made out sufficient cause and therefore, the application filed by the revision petitioner in Crl.M.P.No.2092 of 2023 shall stand restored to the file of the learned Principal District Judge, Karur. The said application shall be heard and decided on its own merits and in accordance with law, preferably, within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Revision Case is disposed of.

15.02.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

PKN

To

1. The learned Principal District and Sessions Judge, Karur.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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