



CRL MP(MD) No.16716 of 2023

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

Friday, the Fifth day of April Two Thousand and Twenty Four

PRESENT

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

CRL MP(MD) No.16716 of 2023  
in  
CRL RC(MD) SR No.42644 of 2023

K.VEERAMURUGAN

... Petitioner

Vs

1 R.PONMANI  
2 MANIBHARATHI  
3 RAGASHREE

... Respondents

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 411 days in filing this Criminal Revision Petition against the order passed in M.C.No.2 of 2020 by the Learned District Munsif Cum Judicial Magistrate, Sengottai.

Prayer in CRL RC(MD) SR No.42644 of 2023:

To call for the record relating to the order passed by the learned Judge, District Munsif cum Judicial Magistrate, Sengottai in M.C.No.02 of 2020 dated 24.06.2022 and set aside the same and allow this revision petition.

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.S.SELVAKRISHNAN, Advocate for the petitioner and of Mr.N.SHYLLAPPA KALYAN, the Court made the following order:-



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This Criminal Miscellaneous Petition has been filed to condone the delay of 411 days in filing the above Criminal Revision Petition.

2. The petitioner is the respondent in M.C.No.02 of 2020 on the file of the learned District Munsif cum Judicial Magistrate, Sengottai. Actually, the petitioner and the first respondent are husband and wife and out of their wedlock, the respondent Nos.2 and 3 were born. After some years, misunderstanding arose between the petitioner and the first respondent. Hence, H.M.O.P.No.74 of 2016 was filed by the petitioner husband and M.C.No.02 of 2020 was filed by the first respondent and minor respondents, in which, the learned District Munsif cum Judicial Magistrate, Sengottai has passed an order, dated 24.06.2022, to pay Rs.15,000/- as monthly maintenance to the respondents. Aggrieved over the same, the petitioner has preferred this revision petition with delay of 411 days.

3. The learned counsel for the petitioner would submit that the copy of the impugned order passed by the learned trial Judge, was misplaced in the office of the lower Court's counsel, hence he filed another application seeking order copy before the Court below. Hence, there is a delay of 411 days in filing the revision petition.

4. The reason that is stated by the learned counsel for the petitioner for the delay of 411 days in filing the revision is not accepted and mistake on the part of the lower Court's counsel is not a ground to condone the delay. Apart from that, the



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arrear amount of Rs.4,00,000/- is pending from 2020 onwards, which has to be paid  
by the petitioner husband.

5. Accordingly, this Criminal Miscellaneous Petition is dismissed.

sd/-  
05/04/2024

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/05/2024  
Sub-Assistant Registrar  
(C.S.I /II /III /IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

INDU

To

1.The District Munsif cum Judicial Magistrate,  
Sengottai.

2.Do through the Chief Judicial Magistrate,  
Tirunelveli District.

+1 CC to M/s.N.SHYLLAPPA KALYAN, Advocate ( SR-4319[I] dated 10/04/2024 )

ORDER

IN

CRL MP(MD) No.16716 of 2023

in

CRL RC(MD) SR No.42644 of 2023

Date :05/04/2024

ED/ GS /SAR- (06/05/2024) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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