



Crl.R.C.No.60 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.60 of 2025
and
Crl.M.P.No.419 of 2025

Veerarajan,

...Petitioner/Respondent/Complainant

Vs.

Kothai

...Respondent/Petitioner/Accused

PRAYER: Criminal Revision Petition filed under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records in Crl.M.P.No.4796 of 2024 in unnumbered Crl.Appeal SR No.3575 of 2024 on the file of the learned Principal District and Sessions Judge, Tiruvallur and setting aside the order dated 02.12.2024.

For Petitioner : Mr.Bhardwajaramasubramaniam.R



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ORDER

The revision challenges the order passed in Cr.M.P.No.4796 of 2024 in Unnumbered in Crl.A.Sr.No.3575 of 2024, by which, the learned Principal District and Sessions Judge, Tiruvallur, has condoned the delay of 194 days in filing the Criminal Appeal against conviction of the respondent.

2. Mr.Bhardwajaramasubramaniam.R, the learned counsel for the petitioner would submit that the learned Judge ought not to have condoned the delay since the respondent had not stated the reasons for the delay and hence, the impugned order, is liable to be set aside.

3. On perusal of the impugned order, it is seen that the learned Judge, has observed that the respondent could not file the appeal in time since she was suffering from Jaundice and hence, satisfied with the reasons stated in the affidavit, the learned Judge condoned the delay.

4. Though it is contended on behalf of the petitioner that the



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respondent did not substantiate the fact that she suffered from any illness, this Court is of the view that the right to file an appeal against conviction cannot be curtailed merely because there is a delay of 194 days in filing the appeal. Therefore, this Court sees no reason to interfere with the impugned order passed by the learned Principal District and Sessions Judge, Tiruvallur.

5. With the above observations, the revision petition stands dismissed. Consequently, the connected miscellaneous petition is closed. The learned Principal District and Sessions Judge, Tiruvallur, may dispose of the appeal as expeditiously as possible on merits and in accordance with law.

23.01.2025

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
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SUNDER MOHAN, J.

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Copy to:
The Principal District and Sessions Judge, Tiruvallur.

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