



CrI.R.C.No. 578 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.R.C.No.578 of 2025

Padmavathi

... Petitioner

Vs

1. Kalpana
2. Basheer
3. The Inspector of Police (Crime)
N-3, Muthayalpet Police Station,
Chennai

... Respondents

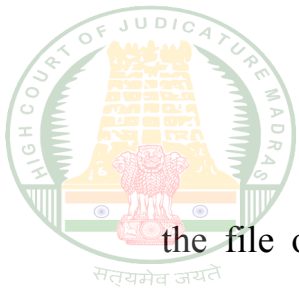
PRAYER: Criminal Revision Case is filed under Sections 438 and 442 of BNSS to call for the records and set aside the order dated 17.02.2025 in CrI.M.P.No.24058 of 2024 in C.A.Sr.No.25414 of 2024 on the file of the Principal Sessions Court at Chennai by allowing the present Revision.

For Petitioner : Mr.N.Suryamuthu

For Respondents : Mr.J.Anees Kumar for R1
Mr.A.Gopinath for R3
Government advocate (CrI.Side)

ORDER

This Criminal Revision Petition has been filed to set aside the order dated 17.02.2025 in CrI.M.P.No.24058 of 2024 in C.A.Sr.No.25414 of 2024 on



CrI.R.C.No. 578 of 2025

the file of the Principal Sessions Court at Chennai by allowing the present Revision thereby dismissing the petition to condone the delay of 386 days in filing the appeal as against the order of acquittal.

2. Heard the learned counsel appearing on either side and perused the documents placed on record.

3. The petitioner is the victim in Crime No.371 of 2024 on the file of the 3rd respondent, after completion of investigation, the 3rd respondent filed a final report and the same has been taken cognizance in C.C.No.158 of 2015 on the file of learned XVI Metropolitan Magistrate, George Town, Chennai. Further, the 2nd respondent was discharged in CrI.R.C.No.719 of 2015 dated 21.12.2015 by this Court. Insofar as the 1st respondent is concerned, after full fledged trial, the trial court acquitted her from the charges under Sections 406, 465, 468, 506(i) read with 34 of IPC. Aggrieved by the same, the petitioner preferred an appeal with the delay of 386 days in filing the appeal before the appellate court, however, the condone delay petition was dismissed by trial court on the ground that the petitioner did not disclose the date on which the petitioner filed an appeal before this Court and the date on which the same was returned.



CrI.R.C.No. 578 of 2025

4. A perusal of the records reveals that the petitioner did not approach this Court and she approached the Legal Services Authority and as directed by the Legal Service Authority, the petitioner filed an appeal before this Court and once again the petitioner approached the High Court Legal Services Authority, and as per their advice, the petitioner filed appeal before the appellate court, to that extent, the documents were filed before this Court, therefore, there was a delay of 386 days in preferring the appeal as against the order of acquittal.

5. Considering the above said facts and circumstances of the case, the order passed in CrI.M.P.No.24058 of 2024 in C.A.Sr.No.25414 of 2024 by the learned Principal Sessions Judge, City Civil Court, Chennai cannot be sustained and liable to be set aside. The appellate court is directed to number the appeal and dispose of the same on merits and in accordance with law within a period of six months from the date of numbering the appeal.

In view of the above, the present Revision is disposed of.

15.07.2025

Index : Yes/No;
Neutral citation : Yes/No
Speaking/non-speaking order
ssd



WEB COPY



Crl.R.C.No. 578 of 2025

G.K.ILANTHIRAIYAN, J.

ssd

To

1. The Principal Sessions Court
City Civil Court, Chennai
2. The Inspector of Police (Crime)
N-3, Muthayalpet Police Station,
Chennai
3. The Public Prosecutor,
Madras High Court, Chennai.

Crl.R.C.No. 578 of 2025

15.07.2025