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Crl.MP.No.18263 of 2024 in Crl.RC.SR.No.49564 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.MP.No.18263 of 2024

in

Crl.RC.SR.No.49564 of 2024

R.Prabakaran

... Petitioner

Vs.

1. Yogamalini Murugan

2. P.Kavi Aadhavan, Minor

Represented by his mother and natural guardian

... Respondents

Prayer: Criminal Miscellaneous Petition filed under Section 5 of Limitation Act, 1963 to condone the delay of 171 days in preferring the Criminal Revision Petition in Crl.RC.SR.No.49564 of 2024 against the order dated 02.03.2024 made in M.P.No.1201 of 2023 in M.C.No.128 of 2023 on the file of the I Additional Family Court, Chennai.



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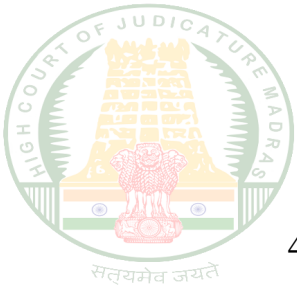
For Petitioner : Mr.P.Rakshana Velayudhan
For Respondents : Mr.K.Murugesan

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner to condone the delay of 171 days in preferring the Criminal Revision Petition in CrI.RC.SR.No.49564 of 2024 against the order dated 02.03.2024 made in M.P.No.1201 of 2023 in M.C.No.128 of 2023 on the file of the I Additional Family Court, Chennai.

2. It is settled proposition of law that no revision is maintainable against interlocutory order and it is barred under Section 397(2) of Cr.P.C.

3. Since the maintenance case is pending before the Family Court and no revision is maintainable against interlocutory order, the present petition filed to condone the delay to prefer a revision petition against the interlocutory order passed in M.P.No.1201 of 2023 in M.C.No.128 of 2023, is not maintainable.



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4. Therefore, this Criminal Miscellaneous Petition is dismissed.

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Consequently, the connected Criminal Revision Case is rejected at the SR
Stage itself.

23.04.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

The I Additional Family Court,
Chennai.



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P.VELMURUGAN. J.

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