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CRL RC No. 2569 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-11-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL RC No. 2569 of 2025**

1. Nithya Packaging Pvt Ltd  
Paper Division, Rep by P.  
Thamotharan, S/o. Pandurangam, Joint  
Managing Director.

Petitioner(s)

Vs

1. SARAVANAN  
S/o. Kannan, Propreitor Saravana  
Packages, No.21, Kandachipuram  
Road, Arakandanallur, Thirukovilur  
Taluk, Villupuram District, Tamil  
Nadu-605752.

Respondent(s)

**CRL RC No. 2569 of 2025**

**PRAYER**

To call for the records and set aside the dismissal order passed in Crl.M.P.No.234 of 2019 in Unnumbered STC No. of 2018 on 13.06.2025 by the learned Judicial Magistrate II at Cuddalore and allow this revision and acquit the appellant from the charge leveled against him.

**CRL RC No. 2569 of 2025**

For Petitioner(s): V.P.Chamuraj  
D. Anandanaryanan

For Respondent:



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**ORDER**

This Criminal Revision Case has been filed to call for the records and set aside the dismissal order passed in CrI.M.P.No.234 of 2019 in Unnumbered STC No. of 2018 on 13.06.2025 by the learned Judicial Magistrate II at Cuddalore and allow this revision.

2. The petitioner herein filed CrI.M.P.No.234 of 2019 in Unnumbered STC No. of 2018 before the Judicial Magistrate II at Cuddalore to condone the delay of 225 days in filing the above case but the said petition was dismissed by the Trial Court without any reason. Aggrieved over the same, the petitioner filed this Criminal Revision Case.

3. The learned counsel for the petitioner submits that within the statutory period the petitioner had issued notice to the respondent for which the respondent has not given any reply notice. Thereafter, the petitioner left India due to which there was a lack of communication between the petitioner and the respondent so there was delay in filing the case. But the court below without appreciating the above erroneously dismissed the condone delay petition. Hence, he prays to allow this petition.

4. On perusal of the records, it reveal that the petitioner had issued statutory notice to the respondent on time as required under N.I Act. Thereafter,



he went to Srilanka for business purpose so he was not able to file the complaint on time. Considering the above, this court is inclined to give one more opportunity to the petitioner. Accordingly, 225 days delay in filing the complaint in Unnumbered STC No. of 2018 is condoned and order dated 13.06.2025 passed in CrI.M.P.No.234 of 2019 in Unnumbered STC No. of 2018 is set aside.

5. In the result, this Criminal Revision Case is allowed.

**28-11-2025**

pbl

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The Judicial Magistrate II at Cuddalore



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**T.V.THAMILSELVI J.**

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