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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM

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

Crl.RC.No.335 of 2025

1.Ramachandran
2.V.P.Murugesan
3.Paramasivam
4.Kodeswaran
5.Selvaraj ... Petitioners

Vs.

1.R.Kamaraj
2.K.K.Palanisamy
3.K.K.Appavau
4.Selvam ... Respondents

PRAYER: Criminal Revision Petition filed under Section 438 R/w.442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to set aside the order dated 15.04.2024 passed by the Principal District Court, Namakkal in MP.No.1/2024 in unnumbered Criminal Appeal of 2024 that challenges the order dated, 04.08.2023 passed in I.A.No.3 of 2024 in O.S.No.528 of 2013 on the file of the Additional District Munsif Court, Namakkal.

For Petitioners : Mr.SP.Chockalingam

For Respondents : Mr.N.Umapathi

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ORDER

This Criminal Revision Petition has been filed challenging the order dated 15.04.2025 passed in M.P.No.1 of 2024 on the file of the Principal District Court, Namakkal, thereby dismissing the petition to condone the delay for default.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioner filed a petition to condone the delay of 70 days in filing the criminal appeal. However, on 15.04.2024, the petitioner was absent before the Principal District Court, Namakkal. Therefore, it was dismissed for default.

4. This Court is of the considered opinion that in order to give one more opportunity to the petitioner to put forth his case, this Court is inclined to set aside the order dated 15.04.2024 passed in M.P.No.1 of 2024 by the Principal District Court is liable to be set aside.

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5. In the result, this Criminal Revision Case stands allowed and the order dated 15.04.2024 passed in M.P.No.1 of 2024 by the Principal District Court is hereby set aside. The Principal District Court is directed to dispose of the condone delay petition on merits and in accordance with law after giving opportunity of hearing to the petitioner and other interested parties.

12.08.2025

mpa

To

The Principal District Court, Namakkal.

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G.K.ILANTHIRAIYAN, J.
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