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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-03-2025

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) No. 2421 of 2025 in CrI.RC(MD)SR No.6845 of 2025

The State of TamilNadu

Rep by The Inspector of Police,
NIB CID, Thoothukudi.

Cr No.18/2021.

Petitioner

Vs

1.Antony Pitchai

2.Leninston

3.Jeyaston

4.Selvaraj

5.Suresh

Respondent

For Petitioner(s):

Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

For Respondent(s):

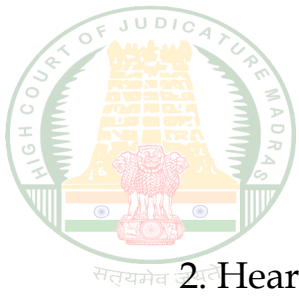
Mr.S.Muniyandi , for R3.
Mr J.Jeyaaron Raja, for R5.
R1, R2, R4 No Appearance.

ORDER

This Petition has been filed seeking orders to condone the delay of 207 days in preferring the criminal revision, challenging the order passed in CrI.M.P.No.4922 of 2023 in C.C.No.331 of 2022, dated 26.02.2024 on the file of the Principal District and

Sessions Court/Communal Clash Cases Court, Madurai (FAC).

<https://www.mhc.tn.gov.in/judis>



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2. Heard the learned Government Advocate (Criminal Side) appearing for the State and the learned counsel appearing for the respondents 3 and 5.

3. The case of the petitioner is that the Communal Clash Cases Court, Madurai, dismissed their application in CrI.M.P.No.4922 of 2023 on 26.02.2024; that they have applied copies on 07.05.2024 and the same was obtained on 10.05.2024; that they have sent the order and sought for legal opinion from the Special Public Prosecutor and the opinion was offered on 29.08.2024; that subsequently papers were forwarded to the Additional Director General of Police, EB CID, Chennai, who in turn sent a proposal to the Public Prosecutor, High Court, Madras and the same was received by the Office of the Public Prosecutor on 19.11.2024; that the petitioner/Inspector of Police had taken charge of NIB CID on 16.03.2024 and collected the papers and filed the revision and that the delay is neither willful nor wanton.

4. The learned counsel appearing for the private respondents 3 and 5 would submit that though this Court has already directed the trial Court to complete the trial within the time stipulated, the prosecution has filed the above petition belatedly and after dismissal of the same, they have taken more than one year for filing the present revision.

5. It is not in dispute that the trial was already over and the case stands posted for judgment. The learned Government Advocate (Criminal Side) would submit that



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they have filed the above application for production of additional document, which is very much vital to prove the prosecution case, but that was dismissed by the learned trial Judge and that is why, they were constrained to file the present revision.

6. Considering facts and circumstances of the case and taking note of the submission made on either side, this Court is inclined to condone the delay, but on terms.

7. At this juncture, the learned Government Advocate (Criminal Side) would submit that they are ready to deposit the amount today itself.

8. In view of the above, this Criminal Miscellaneous Petition is allowed on payment of cost of Rs.2,000/- (Rupees Two Thousand only) by the petitioner, to the Madurai Bench of Madras High Court Advocates Welfare Fund [Indian Bank High Court Branch, Madurai, Current Account No.7087208431, IFSC IDIBI000H040], today ie., on 19.03.2025 and on such receipt of compliance memo, Registry is directed to number the revision, if it is otherwise in order and list the matter on 20.03.2025.

sd/-
19/03/2025

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19/03/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
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THE OFFICER INCHARGE, ADVOCATES WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.2421 of 2025
Date :19/03/2025

NBF/SAR/ (19/03/2025) 4P/2C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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