



Crl.MP(MD)No.12817 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2025**

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.MP(MD)No.12817 of 2025

in

CRL.RC(MD)No.349 of 2025

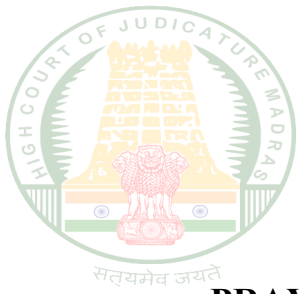
Akbarsulthan
S/o.Nainamohammed,
Represented by his power agent,
Ramaiya,
S/o.Subbaiya Thever,
Door No.438, Nadupatti,
Kammangadu,
Manaviduthi Post,
Pudukottai (Taluk)
Pudukottai District.

... Petitioner

vs.

Rukmani,
W/o.Chinnathambi,
Door No.9A, Alagannan Street,
Saibaba Colony (Post),
Coimbatore City,
Coimbatore District.

... Respondent



Crl.MP(MD)No.12817 of 2025

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to grant extension of time granted in the order made in Crl.R.C(MD)No.349 of 2025, dated 25.07.2025.

For Petitioner :Mr.P.Banu Prasath

ORDER

The present Criminal Miscellaneous Petition is filed to grant extension of time granted in the order made in Crl.R.C(MD)No.349 of 2025, dated 25.07.2025.

2. Heard Mr.P.Banu Prasath, learned counsel for the Petitioner.

3. The Co-ordinate bench of this Court vide order dated 25.07.2025 disposed of the Criminal Revision Petition in Crl.RC(MD)No.349 of 2025 in the following terms:

Challenging the order passed by the learned Judicial Magistrate No.I, Pudukkottai in S.T.C.No.141 of 2017



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Crl.MP(MD)No.12817 of 2025

dated 15.11.2023 dismissing the said case for default recording the absence of the complainant and that of his counsel, despite issuance of final notice sent vide D.No.1785 of 2023, dated 30.10.2023, this criminal revision case is filed.

2. The learned counsel for the petitioner submitted that the petitioner who is the complainant met with an accident on that fateful day of 15.11.2023, as a result of which neither he was able to give instructions nor was able to appear before the learned Trial Court. Hence, the impugned docket order need to be set aside.

3. On careful perusal of the B-diary entries of the Chief Judicial Magistrate, I find that the complainant was present on 21.09.2023 i.e., two hearings before the date on which the case was dismissed. He was not present on 25.10.2023 and 30.10.2023.

4. Being satisfied with the reason putforth by the learned counsel for the petitioner that the complainant had suffered an accident, because of which he was not able to appear before the Trial Court, this Court hereby set aside the impugned docket order, dated 15.11.2023 in S.T.C.No.141 of 2017 on condition to pay a cost of Rs.10,000/- to the District Legal Services



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Crl.MP(MD)No.12817 of 2025

Authority, Pudukottai within a period of ten (10) days from the date of receipt of copy of this order.

5. Accordingly, this Criminal Revision Case is disposed of."

4. This Court vide order dated 19.09.2025 passed the following order:

".....

3.Today, when the matter is being taken up, Mr.P.Banuprasath, learned Counsel for the petitioner submits that in compliance of the order passed by the Co-ordinate Bench of this Court, dated 25.07.2025, he will produce the deposit receipt before this Court on Monday, ie., on 22.09.2025 and prays for an adjournment.

4.Accordingly, as prayed for by the learned Counsel for the petitioner, adjournment is allowed.

5.Put up this case "for orders" on 22.09.2025 before the appropriate Bench'."

5. Today, when the matter is being taken up, Mr.P.Banu Prasath learned Counsel for the petitioner, submits that the petitioner was unable to deposit the amount of Rs. 10,000/- imposed by the Co-ordinate Bench of this Court vide order dated 25.07.2025, within the stipulated time due



Crl.MP(MD)No.12817 of 2025

to financial constraints and medical issues. However, the petitioner has since paid the said amount on 19.09.2025 before the District Legal Services Authority, Pudukkottai. The learned counsel has filed a copy of the receipt issued by the District Legal Services Authority, Pudukkottai, which has been taken on record. He submits that the order passed by the Co-ordinate Bench of this Court vide order dated 25.07.2025 in Crl.RC(MD)No.349 of 2025 has been complied with. He prays that this Court may dispose of the present petition.

6. Accordingly, after considering the submission made by the learned counsel for the petitioner that the petitioner has paid the amount of Rs.10,000/- as directed by the Co-ordinate Bench of this Court vide order dated 25.07.2025 in Crl.RC(MD)No.349 of 2025, and after perusing the copy of the receipt issued by the District Legal Services Authority, Pudukkottai, this Court is of the view that no further orders are required to be passed, as the order passed by the Co-ordinate Bench of this Court has been complied with.



Crl.MP(MD)No.12817 of 2025

7. Accordingly, this Criminal Miscellaneous Petition is **disposed**

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of, with a direction to the Trial Court to proceed in the matter in accordance with law and decide the same as expeditiously as possible, within a period of six months from the date of receipt of a certified copy of this order. File is consigned to record. No order as to costs.

22.09.2025

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

To:

- 1.The Judicial Magistrate No.I,
Pudukottai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.MP(MD)No.12817 of 2025

SHAMIM AHMED, J.

Nsr

CRL.MP.(MD)No.12817 of 2025

22.09.2025