



Crl.M.P.(MD)No.19392 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

Crl.M.P.(MD)No.19392 of 2025

in

Crl.R.C.(MD)SR.No.20704 of 2025

Jayabalan

... Petitioner

vs

The State of Tamil Nadu,
Rep. by The Forest Range Officer
Oddanchathiram Range
Dindigul District.
(W.L.O.R. No.1/2006)

... Respondent

For Petitioner(s):

M/s.T.Leninkumar

For Respondent (s):

M/s.Vaikkam Karunanithi

Prayer in Crl.M.P(MD)No.19392/2025:

To condone the delay of 1251 days in re-presenting the criminal revision case in Crl.RC(MD).SR.No.20704/2022 against the Judgment dated 08.11.2021 made in C.A.No.73/2019 by the file of the Additional District and Sessions Judge, Palani confirming the judgement of conviction dated 15.02.2019 made in C.C.No.371 of 2006 by the Judicial Magistrate, Palani.

ORDER

Heard Mr.T.Leninkumar, learned counsel for the Petitioner and Mr.Vaikkam Karunanidhi, learned Government Advocate (crl.side) for the Respondent.



Crl.M.P.(MD)No.19392 of 2025

2.Learned Counsel for the Petitioner submits that this Criminal Miscellaneous Petition has been filed under Section 5 of the Limitation Act, 1963, seeking to condone the delay of 1251 days in representing the criminal revision petition against the order passed by the Judicial Magistrate, Palani in C.C.No.371 of 2006, dated 15.02.2019.

3. The learned Counsel for the petitioner stating reason for the delay in representing the Criminal revision petition is that the petitioner engaged Mr.R.Babu Jeganath, who is an practicing Advocate before this Court, through his counsel Mr.N.Radha Krishnan, who had represented before the appellate Court. Mr.Radha Krishnan, assured the petitioner that he would inform whenever the case was listed for hearing. To know the status of the case, the petitioner had contacted Mr.Radha Krishnan repeatedly, and he informed the petitioner that the case was still pending for consideration. After his diligent efforts, the petitioner came to know that Mr.Babu Jeganath had filed the revision before this Court on 20.06.2022, and the Registry had returned the papers on 22.06.2022 for rectification of certain defects. Immediately, the petitioner requested Mr.Radha Krishnan, Advocate to retrieve the case bundle from Mr.Babu Jeganath and requested to hand over the same to the petitioner. Accordingly, Mr.Radha Krishnan asked Mr.Babu Jeganath to sent the bundle, after receiving the bundle, the petitioner applied for certified copies of the judgements and engaged a new counsel. For the above said reasons only, there were delay of 1251 days in representing the case. Hence, he prayed to allow the present Criminal Miscellaneous Petition.



Crl.M.P.(MD)No.19392 of 2025

4.Mr.Vaikkam Karunanidhi, learned Government Advocate (crl.side) for the Respondent, has stated that he has no objection to allowing this petition.

5.Being satisfied with reasons stated in the affidavit filed in support of this Criminal Miscellaneous Petition, the delay of 1251 days in filing the above criminal revision petition is condoned. However, the petitioner is directed to pay a cost of Rs.5,000/- to the Mediation and Conciliation Centre, Madurai Bench of Madras High Court, Madurai.

6. Registry is directed to number the Criminal Revision Petition, if it is otherwise in order.

09.12.2025

gvn

To

The officer in charge
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court,
Madurai.



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Crl.M.P.(MD)No.19392 of 2025

MOHAMMED SHAFFIQ, J.

gvn

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