



In CRL MP(MD)No.4134 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED : 23.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP(MD)Nos.4134 of 2025, 17 of 2025, 51 of 2025, 57 of 2025, 4457 of 2025,
10673 of 2024, 14126 of 2024, 14153 of 2024 and 14231 of 2024

and

CRL RC(MD)SR.Nos.33116, 12462, 11531, 43848, 44487, 43968, 43854, 44612 and
44490 of 2024

In CRL MP(MD)No.4134 of 2025

State of Tamilnadu,
Rep. by the Inspector of Police,
Keelavalavu Police Station,
Madurai.
(Cr. No.225 of 2012)

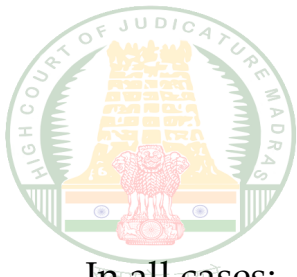
... Revision Petitioner / Petitioner

Vs.

Chandralekha

... Respondent / Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 411 days in filing the revision case as against the discharge order passed by the learned Special Court to deal with the cases of offences in contravention of the provisions of the Mines & Minerals (D&R) Act, Madurai, in Crl.M.P.No.2349 of 2022 in Spl.S.C.No.37 of 2021 dated 27.03.2023.



In CRL MP(MD)No.4134 of 2025

In all cases:

WEB COPY

For Petitioner : Mr.S.Ravi,
Additional Public Prosecutor

For Respondent : Mr.R.Ramachandran

ORDER

Challenging the common order dated 27.07.2023 passed by the learned Special Judge, Special Court, for cases under the Mines and Minerals (Development and Regulation) Act, 1957, Madurai, in Crl.M.P. Nos. 2309, 2311, 2315, 2316, 2345, 2247, 49, 3050 and 253 of 2022 in S.C. Nos. 2, 15, 14, 9, 22, 406, 37, 33 and 39 of 2021 respectively, these Criminal Revision Cases have been filed by the respondent/police with a delay of 411 to 456 days in respective cases.

2. The Criminal Miscellaneous Petitions seeking condonation of delay have been filed as follows: Crl.M.P. Nos. 14126 of 2024, 17 of 2025, 10673 of 2024, 51 of 2025, 14153 of 2024, 4134 of 2025, 4457 of 2025, 14231 of 2024 and 57 of 2025.

3. For the sake of convenience, the parties herein are referred to by their ranks before the trial court.

4. The petitioners/accused in the respective Sessions Cases had filed discharge petitions under Section 227 of the Code of Criminal Procedure, 1973, before the

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



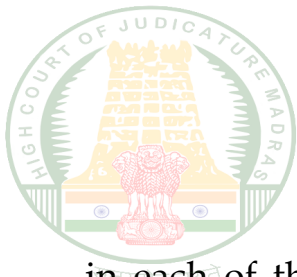
In CRL MP(MD)No.4134 of 2025

Special Court, which were allowed by a common order dated 27.07.2023. Challenging the same, the respondent/police has preferred these Criminal Revision Cases with petitions seeking to condone the delay.

5. The case of the prosecution is that, on various dates during 2012 several complaints, as many as nearly 23 complaints were lodged against the petitioners herein and others related to PRP Granites, Madurai. Based on the said complaints, several cases were registered for offences under various Sections including 447, 430, 506 IPC read with Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

6. It is alleged that the Government had granted a lease to the first accused, PRP Granites, vide G.O.(3D) No.1, Industries Department, dated 13.12.2004, to quarry granite in Survey No. 63/1, etc., of Kabu Village, Melur Taluk, Madurai District. All the accused conspired to trespass into the Vepankudi Kanmai, obstructed the water flow, stored granite stones, and caused substantial damage.

7. A damage certificate issued by the Assistant Engineer, PWD, established that public property was damaged to the extent of several hundred lakhs of Rupees



In CRL MP(MD)No.4134 of 2025

in each of the cases. The investigation involved examination of several witnesses and the collection of documents. Final reports were filed for offences under Sections 120B, 147, 447, 430, 434 IPC and Sections 3(1), 3(2) of the TNPPDL Act, 1992, read with Sections 91, 114, and 149 IPC.

8. During trial, the female accused three in number filed discharge petitions under Section 227 Cr.P.C., in all the cases, however, only in the above detailed cases discharge petitions were allowed on 27.07.2023. Challenging the same, the respondent police sought legal opinion from the Special Public Prosecutor, which was obtained on 06.06.2023. The matter was then referred to the Director General of Police and subsequently to the Principal Secretary, Home Department. The Public Prosecutor, High Court, Madras, gave a legal opinion on 03.06.2024, recommending filing of revisions. Government sanction was received on 21.06.2024, and these petitions were filed on 24.07.2024.

9. The learned Additional Public Prosecutor submitted that, the delay is attributed to administrative processing and obtaining necessary approvals. The accused filed detailed counter affidavits contending that they are women directors with no involvement in the alleged offences, and that the Trial Court had rightly discharged them.



In CRL MP(MD)No.4134 of 2025

WEB COPY

10. It is also urged by the respondent's counsel that, the revision petitioner has not shown sufficient cause for condoning the inordinate delay. The reasons cited such as bureaucratic delay, obtaining legal opinions, inter-departmental communication are vague, unspecific, and unsupported by satisfactory explanation.

11. As observed by the Hon'ble Supreme Court in:

(i) Thirunagalingam v. Lingeswaran & Another, Civil Appeal No. of 2025 arising out of SLP(C) No. 17575 of 2023, dated 13.05.2025,

(ii) State of Madhya Pradesh v. Ram Kumar Chaudhary, SLP (Crl) Diary No. 48636 of 2024, dated 29.11.2024,

(iii) Union of India & Others v. Vishnu Aroma Pouching Pvt. Ltd., (2022) 9 SCC 263,

the Court must assess the bona fides of the explanation offered before proceeding to consider the merits. The delay in the present cases, though substantial, does not exceed 500 days and must be viewed in light of the public interest involved and the magnitude of the alleged loss to the exchequer.

12. Accordingly, considering the explanation tendered by the State, and in the



In CRL MP(MD)No.4134 of 2025

interest of justice, the delay in filing these Criminal Revision Cases is condoned, subject to payment of Rs.1,000/- (Rupees One Thousand only) as costs in each case, to the District Legal Services Authority, Madurai District court, Madurai , within one week from the date of receipt of copy of this order.

13. In the result, all the Criminal Miscellaneous Petitions seeking condonation of delay are allowed, subject to payment of costs as directed above. Consequently, registry is directed to take the Criminal Revision Cases on file.

sd/-
23/07/2025

/ TRUE COPY /

/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Sml
TO

1.The Officer In-charge,
District Legal Services Authority,
Madurai District Court,
Madurai.

2.The Inspector of Police,
Keelavalavu Police Station,
Madurai.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



In CRL MP(MD)No.4134 of 2025

ORDER

IN

CRL MP(MD) Nos.4134, 17, 51, 57, 4457 of 2025 and
10673, 14126, 14153, 14231 of 2024

IN

CRL RC(MD)SR.Nos.33116, 12462, 11531, 43848, 44487,
43968, 43854, 44612 and 44490 of 2024

Date :23/07/2025

HPS/30.07.2025 /7P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023