



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.R.C.No.553 of 2026

and

Crl.M.P.No.4193 of 2026

K.Muralidharan, S/o.Sekaran Nair

... Petitioner

Vs.

M/s.Arjun Amaravathi Chits (P) Ltd.,
Rep. by its Authorised Agent,
D.Sreekanth,
S/o.N.V.Devarajan,
Reg. Office at No.30, Kutchery Road,
Mylapore, Chennai – 600 004.

... Respondent

PRAYER : Criminal Revision Petition filed under Section 438 of B.N.S.S., to call for the records pertaining to the order dated 15.12.2025 made in Crl.M.P.No.9713 of 2025 in C.A.Sr.No.12129 of 2025 against C.C.No.6483 of 2017 passed by the learned Principal Sessions Judge, Chennai and set aside the same by allowing this Criminal Revision Petition.

For Petitioner : Mr.N.Srinivasulu



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ORDER

This Criminal Revision has been filed challenging the order dated 15.12.2025 made in Crl.M.P.No.9713 of 2025 in C.A.Sr.No.12129 of 2025 against C.C.No.6483 of 2017 passed by the learned Principal Sessions Judge, Chennai.

2. The learned counsel for the petitioner would vehemently contend that the order passed by the learned Principal Sessions Judge in condoning the delay of 371 days is erroneous and perverse. However, it is the specific submission of the learned counsel for the petitioner that the petitioner is a Corporate Company, therefore, the question of illness of one of the Directors will have no implication in condoning the delay and apart from that, the reasons stated by the petitioner is absolutely false and it was demonstrated before the learned Principal Sessions Judge. However, the learned Principal Sessions Judge did not take into consideration of the same and has condoned the delay.

3. I have given my anxious consideration to the submission made by the learned counsel for the petitioner.



4. While looking at the order, the learned Principal Sessions Judge, he has stated the following reasons for condoning the delay:

1. The company was shifted from Mylapore to Vadapalani;
2. During that point of time, the case papers has been misplaced and apart from that he has also referred that the Director's mother was aged and ailing thereafter, subsequently died.

5. The learned Judge after considering all these aspects has ultimately allowed the said application.

6. Even for arguments sake, if the contentions of the learned counsel for the petitioner is accepted, it may not be sufficient to hold that the findings rendered by the learned Principal Sessions Judge is perverse, but may lead to an alternative finding, which cannot be done while exercising the power of judicial review. Apart from that whenever delay was condoned by the Trial Court, the Court while exercising the power of judicial review has to be slow in exercising its discretion to deny such condonation. In this regard, it is useful to refer the Hon'ble Supreme Court judgment in the case of ***N.Balakrishnan Vs. M.Krishnamurthy*** reported in ***(1998) 7 SCC 123***.



C.KUMARAPPAN, J.

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In such view of the position, this Court absolutely does not find any infirmity in the order passed by the learned Principal Sessions Judge. Hence, this Criminal Revision case is dismissed. Connected miscellaneous petition is closed.

04.03.2026

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To

1.The Principal Sessions Judge, Chennai

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