



Crl.MP.No.5821 of 2026
in
Crl.RC.SR.No.16879 of 2026

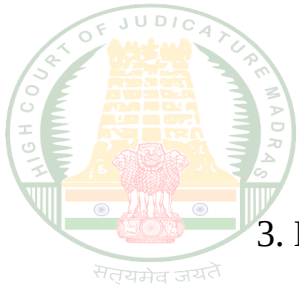
C.KUMARAPPAN,J.

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This Criminal Miscellaneous Petition has been filed seeking to condone the delay of 162 days in filing the Criminal Revision Case against the order dated 04.07.2025 passed by the learned XIX Additional City Civil Court, Chennai in Crl.A.No.416 of 2025.

2. The learned counsel for the petitioner would submit that the very dismissal of the appeal for default by the learned Sessions Judge was against the ratio of the Hon'ble Supreme Court. He would further submit that, the Counsel who appeared before the trial Court has not informed about such cryptic order passed by the learned Sessions Judge and therefore there is a delay of 162 days in filing the criminal revision case. Hence, he prays that the delay may be condoned.

3. The learned counsel for the respondent strongly opposed this application on the ground that dismissal was not for default, where as the learned Appellate Judge had directed the petitioner to deposit 20% of the cheque amount, whereas he has not paid and that is the reason why the dismissal order was passed.



3. Having considered the submissions made by the learned counsel for the petitioner, the order dismissing the appeal is based on non-appearance and though the learned counsel for the respondent submitted that there was a default on the part of the respondent, in view of the dismissal of the appeal in cryptic manner, this Court finds sufficient reason to condone to the delay.

4. In the result, this Criminal Miscellaneous Petition is allowed and the delay of 162 days in filing the Criminal Revision Case is condoned. Registry is directed to list the matter on 28.04.2026.

24.04.2026

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