



Crl.R.C.(MD)No.1060 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.1060 of 2026

D.Jeyaganesh

... Petitioner/Petitioner/
Appellant/Accused

Vs.

Latha

... Respondent/Respondent/
Respondent/Complainant

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records relating to the order dated 05.12.2025 passed in Crl.M.P.No.2828 of 2025 in Unnumbered C.A. of 2025 on the file of the Learned Principal District and Sessions Judge, Virudhunagar District Srivilliputtur and set aside the same, and consequently direct the learned lower appellate Court to restore the said petition and permit the petitioner to comply with the condition of payment of cost as directed by the lower appellate Court within such time as may be fixed by this Court.

For Petitioner : Mr.A.Balaji

For Respondent : No Appearance



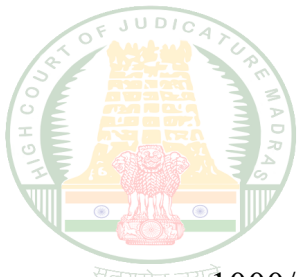
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ORDER

Seeking to set aside the order passed by the learned Principal District and Sessions Judge, Virudhunagar District Srivilliputtur in Crl.M.P.No.2828 of 2025, dated 05.12.2025 in Unnumbered C.A. Of 2025, this criminal revision case is filed.

2. The learned counsel for the petitioner submitted that the petitioner is the appellant in an unnumbered criminal appeal who had filed Crl.M.P.No.2828 of 2025 under Section 5 of the Limitation Act to condone the delay of 12 days in filing appeal against the judgement passed by the Learned Judicial Magistrate Fast Track Court, Sriviliputtur, in S.T.C.No.42 of 2023 dated 04.07.2025. The petitioner is the accused before the learned trial Court. The petitioner was convicted after full-fledged trial in S.T.C.No.42 of 2023 by the Learned Judicial Magistrate Fast Track Court, Sriviliputtur sentencing him to one year imprisonment and compensation of Rs.2,00,000/-. Against which, the petitioner had filed Crl.M.P.No.2828 of 2025 to condone a delay of 12 days in preferring a criminal appeal. The same was ordered on cost of Rs.



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1000/- to be paid by the petitioner on or before 04.12.2025. However, due to the inadvertence of the trial Court counsel and non-communication of the same to the petitioner, the same was not paid within 04.12.2025. Pursuant to which, the order passed by the Learned Session's judge stood vacated on 05.12.2025. Challenging the vacating order, this criminal revision case is filed.

3. The learned counsel for the petitioner submitted that for the mistake of the counsel, the litigant should not be allowed to suffer and sought the indulgence of this Court to permit the petitioner to pay the cost by extending the time for paying the same.

4. Considering the limited relief sought for, the petitioner is directed to pay a cost of Rs.5,000/- before the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur on or before 15.07.2026. On such payment, the delay of 12 days in filing the appeal against the judgement passed by the Learned Judicial Magistrate Fast Track Court, Srivilliputhur in S.T.C.No.42 of 2023 dated 04.07.2025 would be condoned. The Learned Principal District and Sessions Judge,



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Virudhunagar District at Srivilliputtur is directed to number the criminal appeal.

5. With the above directions, this Criminal Revision Case is allowed.

01.07.2026

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

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Note : Issue order copy on 02.07.2026.

To

1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputtur.

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



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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.1060 of 2026

Dated: 01.07.2026