



Crl.R.C.(MD)No.851 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.R.C.(MD)No.851 of 2026

and

Crl.M.P.(MD).No.9921 of 2026

1.G.Mohan

2.G. Girija,

3.G.Latha

... Petitioners

Vs

State of Tamilnadu Rep By
Inspector Of Police,
Airport Police Station.
Tiruchirappalli City,
Tiruchirappalli.

... Respondent

Prayer: This Criminal Revision Case filed under Section 438 r/w 442 of BNSS, to call for the records and set aside the order passed in Crl.M.P.No. 78 of 2026 in Crl.M.P. No. 10550 of 2022 in C.C. No. 1 of 2020 dt. 15.05.2026 on the file of the Learned Vacation Sessions Court, Tiruchirappalli and pass such further orders

For Petitioners : Mr.G.Balumahendran

For Respondent : Mr.Abul Kalam Azad
Government Advocate (crl.side)



Crl.R.C.(MD)No.851 of 2026

ORDER

The present petition has been filed by the accused person in C.C.No.1 of 2020 on the file of the learned Judicial Magistrate No.VI, Trichy seeking to set aside the order passed in Crl.M.P.No.78 of 2026 in Crl.M.P.No.10550 of 2022 in C.C.No.1 of 2020 dated 15.05.2026 on the file of learned Vacation Sessions Court, Thiruchirappalli.

2. A perusal of the records reveals that the petitioners are the accused in the above said case, charged with an offence punishable under Section 507 of IPC. The petitioners filed a Criminal Miscellaneous Petition in Crl.M.P. No. 10550 of 2022 under Section 239 of Cr.P.C., seeking discharge from all charges. The said petition was dismissed on 27.10.2025. Aggrieved by the same, the petitioners preferred an appeal before the Vacation Court, Thiruchirappalli, with a delay of 98 days. The application to condone the delay was dismissed by the Appellate Court vide order dated 15.05.2026. Challenging the same, the present revision petition has been filed.

3. According to the learned Counsel appearing for the petitioner, though the charge sheet was laid on 13.03.2020, due to Covid-19 pandemic, the discharge petition was filed only in the year 2022 and the discharge petition was disposed off on 27.10.2025. Thereafter, a revision petition was filed with a



Crl.R.C.(MD)No.851 of 2026

delay of 98 days. Therefore, the finding of the First Appellate Court that the petitioner had delayed the proceedings from 13.03.2020 till 18.12.2024 is factually incorrect. Hence, he prayed for setting aside the order dated 15.05.2026 and for numbering the revision.

4. Heard the learned Counsels appearing on either side and perused the materials available on record.

5. As rightly pointed out by the learned Counsel appearing for the petitioner, the discharge petition had been pending since 2022 and the same was disposed of only on 27.10.2025. In such circumstances, the delay cannot be attributed to the petitioner. Therefore, the First Appellate Court ought to have considered and allowed the delay condonation petition. Therefore, citing the delay caused during the pendency of the discharge petition, the application for condonation of delay in filing the revision challenging the order of discharge cannot be dismissed.

6. In view of the above said facts, the order impugned in the present revision case is set aside and the delay stands condoned. The learned Appellate Court is directed to number the Revision Petition and proceed further in accordance with law.



Crl.R.C.(MD)No.851 of 2026

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7. With the above said observations, this Criminal Revision Case is allowed. Consequently, connected miscellaneous petition is closed.

21.05.2026

Index :yes/No
Internet:yes/No
gvn

To

- 1.The Vacation Sessions Court, Tiruchirappalli.
2. The Judicial Magistrate No.VI, Trichy
- 3.The Inspector of Police,
Airport Police Station, Tiruchirappalli City,
Tiruchirappalli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.R.C.(MD)No.851 of 2026

R.VIJAYAKUMAR,J.

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Crl.R.C.(MD)No.851 of 2026

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