

Proceedings of the Judicial I Class Magistrate-I, Attingal.

Present:- **Sri. Jawhar H**
Judicial I Class Magistrate -I, Attingal

Dated this the 23rd day of April, 2026.

CMP No. 2769/2021

Complainant : Prasanth, Charuvila Veedu, Near GHSS, Attingal
(By Adv. Sri. V Radhakrishnan)

Accused : Pradeep Valsan, M/s. Valsan Infra Project, Opposite K S Park,
Chaloor, Iringalakkuda, Thrissur

Offences : U/S. 138 of NI Act

ORDER

This is an order in a petition filed by the complainant seeking condonation of delay in filing complaint.

2. According to the petitioner, the delay of 251 days occurred as a result of the delay caused due to lockdown.

3. Despite service of notice, the respondent did not appear and file objection. Hence the petition was taken for order.

4. Heard the Counsel for the petitioner.

5. The points that arise for consideration are;

i) Whether the petition is allowable.

ii) Order and relief.

6. **Point No. 1**:The delay caused is alleged as due to lockdown, but no documents whatsoever was produced to evidence the same, which clearly shows that the petitioner was not

vigilant in prosecuting the case. No document is seen produced to evidence the claim raised.

7. The reason stated for not filing the case within time is not sufficient to condone the delay and is not supported by any documents.

8. Since the prosecution is one under NI Act and if the delay is not condoned, the petitioner would be remediless, this court deem it fit to allow the petition by imposing costs on the petitioner. The petition is allowed on costs of Rs. 2,000/- to be deposited in the TLSA and on filing memo to that effect along with receipt of such payment.

9. **Point No. 2:** In the result the CMP is allowed on costs.

Pronounced by me in open court on the 23rd day of April, 2026.

Sd/-

Judicial I Class Magistrate-I,
Attingal