

In the Court of Principal Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,  
Principal Sessions Judge.

Friday, the 13<sup>th</sup> day of March, 2026.

Crl.M.P. No.413/2026

(CNR No.TNKK01-000627-2026)

Amala Rajan S/o. Maria Antony

... Petitioner/Appellant

/Vs./

1. J.M. Brilline Nisha W/o. Amala Rajan

2. Gatlin Diobhila A.B. D/o. Amala Rajan

3. Piolin Daliya A.B. D/o. Amala Rajan

... Respondents/Respondents

This petition coming on 11.03.2026 for final hearing before me in the presence of Tmt. S.S. Rejini Devi, Advocate for the petitioner and Thiru M. Ashok Padmaraj, Advocate for the respondents and upon hearing and upon perusing the materials available on record and having stood over for consideration till this day, this Court delivered the following:

**ORDER**

This petition has been filed praying for condonation of delay of 2 days in filing the criminal appeal challenging the order dated 10.12.2025 passed by the Judicial Magistrate No.I, Padmanabhapuram in Crl.M.P. No.3447/2024 in DVC

No.33/2024 .

2. The petitioner claims that the Judicial Magistrate No.I, Padmanabhapuram passed an order on 10.12.2025 and since on 10.01.2026 and 11.01.2026 were holidays, the petitioner filed the appeal on 12.01.2026 which is within the stipulated time, but the Criminal Appeal was returned stating that there occurred a delay of 2 days in filing Criminal Appeal and the said delay is neither wilful nor wanton and the delay may be condoned.

3. Upon notice, the respondents have not filed counter.

4. Heard. Perused the materials on record.

5. **The point for consideration that arises in this petition is :-**

(i). Whether the petition deserves to be allowed ?

6. **Point (i) :-**

The petitioner claims that the Criminal Appeal has been filed on 12.01.2026 which is within the stipulate time, since on 10.01.2026 and 11.01.2026 were holidays, but the same was returned stating that there occurred 2 days delay in filing the appeal and the delay is neither wilful nor wanton. The claim of the

petitioner has not been disputed by the respondents by filing counter. Further, the delay is only 2 days. Therefore, the reason stated by the petitioner is acceptable one. Considering the above, this court finds that the present petition deserves to be allowed.

7. In the result, this petition is allowed.

Dictated to the typist, typed by her, corrected and pronounced by me in open court this the 13<sup>th</sup> day of March, 2026.

Sd/-  
Principal Sessions Judge,  
Nagercoil.

Principal Sessions Court,  
Kanniyakumari at Nagercoil.  
Fair Order in  
Crl.M.P. No.413/2026  
Dt: 13.03.2026