

IN THE COURT OF THE JUDICIAL MAGISTRATE No.I, METTUR

Present : N.Gopalakrishnan, B.Sc, B.L., Judicial Magistrate No.I, Mettur.

Thursday, the 22nd day of January, 2026

Crl.M.P. No. 625 of 2025

V.Janarthanan(82), S/o Periyapaiyan

.... Complainant

//Vs//

Maharajan(52), S/o.Selladurai

....Accused

ORDER

1. This petition is filed by the complainant under Section 142-B of the Negotiable Instruments Act, 1881, seeking condonation of delay of six days in filing the complaint.
2. The averments in the petition disclose that the complainant is an 82-year-old senior citizen and that the delay occurred on account of his ill health, namely fever, which persisted for about one week. Though no medical certificate has been produced in support of the said contention, having regard to the advanced age of the complainant, the explanation offered cannot be rejected outright. The delay is short and not inordinate.
3. Notice was ordered to the accused. On the date fixed, the accused failed to appear. Subsequently, the accused appeared through learned counsel and expressed no objection to allowing the petition seeking condonation of the delay.

4. In the present case, the complainant is a very senior citizen aged 82 years, and the reason assigned for the delay is ill health due to fever for about one week, which is a plausible and natural circumstance at such an advanced age. Even in the absence of a medical certificate, the explanation cannot be viewed with suspicion or hyper-technicality. The delay being only six days, no prejudice whatsoever is caused to the accused, more so when the accused has expressed no objection to the condonation. Denial of condonation in such circumstances would result in undue hardship to an aged litigant and defeat the ends of justice.
5. In view of the above facts and circumstances, this Court is satisfied that sufficient cause has been shown for condoning the delay.
 - a. The petition to condone the delay of six days in filing the complaint is allowed.
 - b. The delay is hereby condoned.
 - c. The complaint shall be taken on file and proceeded with in accordance with law.

Judicial Magistrate No.1, Mettur.