



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP No. 8140 of 2026

in

CRL A SR No. 26040 of 2026

The State of Tamil Nadu Rep.by
The Deputy Director, Industrial Safety
and Health Department, Hosur.

Petitioner(s)

Vs

M.Naveen

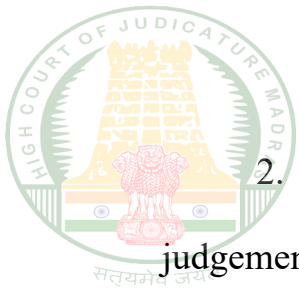
Respondent(s)

For Petitioner(s): Mr.Durai Gunasekaran
Government Advocate (Crl. Side)
Assisted By M. Arul Raj

For Respondent(s): Mr.G.Viswanathan

ORDER

This Criminal Miscellaneous Petition has been filed to condone the delay of 340 days in filing an appeal against the judgment of acquittal dated 11.03.2025 passed in CC.No.420 of 2024 on the file of the Chief Judicial Magistrate, Krishnagiri.



2. The State has preferred the present criminal appeal, challenging the judgement of acquittal passed in C.C.No.420 of 2024, dated 11.03.2025.

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3. The Deputy Director, Industrial Safety and Health Department, Hosur has filed an affidavit explaining the reasons for the delay. It is stated that a certified copy of the judgment was applied on 17.03.2025, and was received on 27.03.2025. Thereafter, an opinion of the Additional Public Prosecutor, Chief Judicial Magistrate, Krishnagiri, was sought, and he opined on 28.04.2025 that an appeal should be preferred. Based on the said opinion, a proposal was forwarded to the Directorate of Industrial Safety and Health Department, Chennai vide Lr.No.A/1533/2023 dated 12.05.2025.

4. Subsequently, the Directorate of Industrial Safety and Health Department, Chennai forwarded the proposal to the Office of the Public Prosecutor, High Court, Madras on 21.08.2025 vide Na.Ka.No.GI/11817/2025, dated 21.08.2025. Upon examining the entire records, the Public Prosecutor, High Court of Madras, opined that an appeal against the acquittal should be filed and accordingly forwarded a Legal Opinion to the Director, Industrial Safety and Health Department, Chennai vide Opinion No. 357 of 2025, dated 26.09.2025. Thereafter, the Directorate of Industrial Safety and Health Department, Chennai forwarded the opinion to the Principal Secretary to



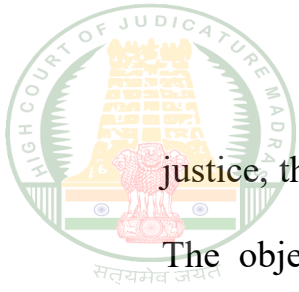
Government, Labour Welfare and Skill Development, Secretariat, Chennai vide Na.Ka.No.GI/11817/2025-1, dated 10.12.2025. Subsequently, the Government passed G.O vide G.O.No.34 dated 09.02.2026.

5. It is further stated that the present Deputy Director assumed charge at the Industrial Safety and Health Department, Hosur on 16.03.2026. Immediately thereafter, he took steps to collect the relevant records for filing the appeal and addressed the Additional Public Prosecutor on 22.04.2026. Thereafter, the present appeal came to be filed, resulting in the delay.

6. The learned counsel for the respondent, relying upon the judgment of the Apex Court in *State of Odisha and others vs. Managing Committee of Namatara Girls High School*, contented that the bureaucratic delay cannot, by itself, constitute sufficient cause for condoning the delay and that the same principle is applied in the present case.

7. This Court finds that the facts of the decision relied upon by the respondent are distinguishable from the facts of the present case. In the case on hand, the petitioner has satisfactorily explained the delay at every stage.

8. Considering the explanation offered and in the interest of substantial



justice, this Court is of the view that the appeal should be decided on its merits.

The objections raised by the respondent can be considered at the stage of admission of the appeal.

9. Accordingly, this Criminal Miscellaneous Petition is allowed.

10. Registry is directed to number the Criminal Appeal, if it is otherwise in order and list the matter in the admission list.

23-07-2026

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