

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.23094 of 2015

Chandrasekar

.. Petitioner

Vs.

The Inspector of Police,
Sathyamangalam Police Station,
Salem District.
Crime No.48/2012

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the District and Sessions Court, Villupuram to entertain the Crl.Appeal S.R.No.7703 of 2015 filed against the judgment in C.C.No.48 of 2013 on the file of Judicial Magistrate, Gingee dated 15.04.2015.

For Petitioner :: Mr.M.Santhanaraman

For Respondent :: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, Villupuram to entertain the Crl.Appeal S.R.No.7703 of 2015 filed against the judgment in C.C.No.48 of 2013 on the file of Judicial Magistrate, Gingee dated 15.04.2015.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. It appears that this petitioner was convicted and sentenced in C.C.No.48 of 2013 on 15.04.2015 by the learned Judicial Magistrate, Gingee for offences under Section 279, 337, 304(A) IPC., The trial Court had suspended the sentence, for a period of 30 days, so that the petitioner could approach the Sessions Court and file a regular appeal and seek for suspension of sentence and bail. The petitioner preferred an appeal under Section 374(3) Cr.P.C., before the learned Principal District and Sessions Judge, Villupuram, which has been returned on the following grounds :

1. Petitioner not present before this Court.

2. Petition filed after the time lapsed.

Hence returned.

5. Under such circumstances, it is open to the petitioner to comply with the returns and resubmit the appeal papers, if necessary, with a petition for condonation of delay, if the appeal had been filed after the period of limitation. This Court, cannot interfere into quasi-judicial orders of returns passed by the Courts below.

With the above direction, this Criminal Original Petition is closed.
Ds

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
Sathyamangalam Police Station,
Salem District
2. The Public Prosecutor,
High Court, Madras.
3. The Judicial Magistrate,
Gingee
4. The District and Sessions
Judge, Villupuram

+1 C.C. To MR.M.Santhana Raman, Advocate in SR.NO.56209

सत्यमेव जयते

Cr1.O.P.No.23094 of 2015

RSK(CO)
sd : 20/10/2015

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