

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No. 217 of 2015

JUDGMENT:-

The present Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C. aggrieved by the order dated 18.11.2014 passed in CrI.M.P.No.965 of 2012 on the file of the District & Sessions Judge at Chittoor wherein and whereunder the application filed for condonation of delay of 184 days in preferring an appeal was allowed.

Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State.

A charge sheet was filed against the petitioners/accused for the offences punishable under Sections 447 and 423 IPC which was taken on file as C.C.No.173 of 2005 on the file of Judicial Magistrate of First Class, Special Mobile Court, Chittoor. After a full-fledged trial, the petitioners were acquitted of the said offences. Challenging the same, the State preferred an appeal on 09.11.2012 with a delay petition. The averments in the affidavit filed in support of the delay petition would show that there was some administrative delay in granting sanction for preferring the appeal. Apart from that, the record reveals that certified copies of calendar and judgment were delivered to the State on 26.04.2012 and permission for prosecuting the appeal was granted on 09.11.2012. Because of the same, there was some delay in preferring the appeal. Being satisfied with the reasons given, the learned Sessions Judge condoned the delay on condition of payment of Rs.200/- to the District Legal Services Authority, Chittoor, towards costs. Since the State was able to give a reasonable explanation with regard to the delay in filing the appeal and as the delay is only 184 days, I see no grounds to interfere with the order under challenge and the revision is liable to be dismissed.

Accordingly, the Criminal Revision Case is dismissed.
Consequently, miscellaneous petitions, if any, pending in the criminal
revision case shall also stand dismissed.

C. PRAVEEN KUMAR, J

12th February, 2015
cbs

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Criminal Revision Case No. 217 of 2015

12th February, 2015

cbs