

Crl.M.P.No.1227 of 2016
in
Crl.A.SR.No.4708 of 2016

R.SUBBIAH, J

The present petition has been filed to condone the delay of 55 days in filing a petition seeking leave to appeal against the judgment of acquittal passed in C.C.No.218 of 2014 on the file of the learned Magistrate, Fast Track Court, Alandur.

2. In the affidavit filed in support of the petition, it has been stated that since the petitioner's counsel, who conducted the trial in the lower Court, had misplaced the case file along with the certified copy of the judgment in his office, the appeal could not be prepared and filed in time. Hence, a delay of 55 days had occurred in filing the petition seeking leave to file the appeal and the delay is neither wilful nor wanton, but due to the above said bona fide reasons.

3. Learned counsel appearing for the respondent opposed to condone the delay.

4. However, being satisfied with the reasons stated in the affidavit filed in support of the petition, the delay of 55 days in filing the petition seeking leave to file the appeal is condoned and the petition is ordered accordingly.

23.08.2016

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DATED:

23.8.2016