

Crl.M.P.No.5344 of 2016
in
Crl.A.No.Sr.20030 of 2016

M.Venugopal, J.,

The Publication effected in the English Daily as well as in the Kannada Daily were filed on behalf of the Petitioner/Appellant.

2. Today, on behalf of the Respondent, none appears before this Court, either in person, through the learned counsel. Service is held sufficient in respect of the Respondent.

3. According to the Petitioner/Appellant, there has occasioned a delay of 17 days in preferring the present Criminal Appeal, in Sr.No.20030 of 2016, against the order/judgment in C.C.No.77 of 2007, on the file of learned Judicial Magistrate, No.I, Krishnagiri, and infact, the counsel for the Petitioner/Appellant took delivery of the copy of the order only on 09.03.2016, and after consulting with the local Advocate, he should have preferred the Appeal before this Court on or before 11.04.2016, but he has not done so, and in this process, there has occasioned a delay of 17 days in preferring the instant Criminal Appeal, which is neither wilful, nor wanton,

but due to the aforesaid reason.

4. Considering the fact that there is no counter affidavit filed on behalf of the Respondent, and this Court, keeping in mind the primordial fact that there is no appearance on the side of the Respondent, either in person or through learned counsel, at the time of calling of the matter and also, by taking a lenient and liberal view to advance cause of justice, condones the delay of 17 days in preferring the present Criminal Appeal, and allows this Criminal Miscellaneous Petition accordingly.

25.10.2016

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Index : Yes/No

Internet : Yes/No

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