



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Seventh day of January Two Thousand Sixteen

PRESENT

The Hon'ble Mr. Justice M. VENUGOPAL

CRL MP (MD) No.137 of 2016

IN

CRL A (MD) SR.No.171 of 2016

JAYAKUMAR

... PETITIONER/APPELLANT

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE

ARAVAKURICHI POLICE STATION, KARUR DISTRICT.

CR. NO. 324/2011

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to condone the delay of 345 days in preferring Criminal Appeal against the judgement dated 26.11.2014 in S.C.No.57 of 2013 by the learned Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court) Karur.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.M.KARUNANITHI, Advocate for the petitioner and of MR.P.KANDASAMY, Government Advocate (Crl.Side) on behalf of the respondents, the court made the following order:-

According to the petitioner/Appellant/A1, he is a Coolier Worker and has no means to prefer an Appeal as against the conviction and sentence imposed upon him by the trial Court.

2.It appears that the Petitioner/Appellant/A1 has filed the instant CRL A(MD)SR.No.171 of 2016 with a delay of 345 days. The reason ascribed by the Petitioner/Appellant/A1 is that due to poverty, he is not in a position to engage an Advocate to prefer the Appeal in time. The delay in question that has occurred with regard to the filing of the Appeal is neither wilful nor wanton, but due to the aforesaid reason.



3. Taking note of the fact that the Petitioner/Appellant/A1 is a poor Coolie Worker and further, because of his poverty, he has filed the present Appeal belatedly and that too, with a delay of 345 days, this Court by taking a lenient and liberal view and also keeping in mind that a Court of law has to deliver substantial justice to the parties, in the interest of justice, condones the delay of 345 days in preferring the Criminal Appeal in question, by directing the Petitioner/Appellant/A1 to pay a sum of Rs.200/- (Rupees Two Hundred only) to the Mediation and Conciliation Centre attached to this Bench within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand automatically dismissed without further reference to this Court.

4. This Miscellaneous Petition is ordered accordingly.

sd/-
07/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE SESSIONS JUDGE, MAHALIR NEETHIMANDRAM
(FAST TRACK MAHILA COURT), KARUR.
- 2 -DO-THRO' THE PRINCIPAL SESSIONS JUDGE, KARUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION, KARUR DISTRICT.

COPY TO : THE CO-ORDINATOR, MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.M.Karunanithi, Advocate Sr.No.1248

akm/11.01.2016/2p-7c/GSV/AN/SAR-II ORDER
IN

CRL MP(MD) No.137 of 2016
IN
CRL A(MD) No.SR171 of 2016
Date :07/01/2016