



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

Thursday, the Nineteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP (MD) No.1296 of 2017
IN
CRL A (MD) No.SR1518 of 2017

N.SANGAPILLAI

... APPELLANT/PETITIONER

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
BALAVIDUTHI POLICE STATION,
KULITHALAI TALUK,
KARUR DISTRICT,
CR NO. 124 OF 2012.

..1ST RESPONDENT/COMPLAINANT

2 RAJIV GANDHI
3 DURAI KANNU
4 CHINNU
5 KARUPPAN ALIAS KARUPPASAMY
6 MARIAPPAN
7 RAVI @ RAVI KUMAR
8 GANESH
9 SUBRAMANI

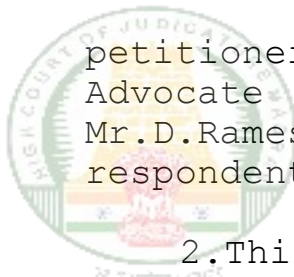
... RESPONDENTS 2 TO 9/ACCUSED
A1 TO A8

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 500 days filing the above Criminal appeal in Crl. A.S.R. NO. 1518 of 2017 along with special leave Petition to file the Petitioner against the order of acquittal passed in S.C. No. 21 of 2015 dated 15.06.2015 on the file of the District Sessions Judge Mahalir Neethimandram Fast Track Mahila Court Karur and pass such further or other orders that may deem fit and proper in the nature and circumstances of the case.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.M.VIVEKANANDAN, Advocate for the petitioner and of MR.K.SUYAMBULINGA BHARATHI, Government Advocate (Crl.Side) for the Respondent No.1 and of MR.D.RAMESH KUMAR, Advocate for the Respondents 2 to 9 the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

Heard Mr.M.Vivekanandan, learned counsel appearing for the



petitioner, Mr.K.Sumbulinga Bharathi, learned Government Advocate (Crl. Side) appearing for the first respondent and Mr.D.Ramesh Kumar, learned counsel appearing for the respondents 2 to 9.

2.This petition has been filed to condone the delay of 500 days in filing the criminal appeal. The complainant lodged the complaint before the first respondent police on 03.08.2012 and the same was registered as Crime No.124 of 2012. After thorough investigation, the chargesheet was filed and was taken on filed as S.C.No.21 of 2015 on the file of Mahila Fast Track Court, Karur. After trial, the learned Judge acquitted the respondents 2 to 9, there was a delay of 500 days in filing the criminal appeal. The delay is due to the ill health of the petitioner and due to the illeterate status of the petitioner.

3.On the side of the respondents, it is stated that there is a delay of 1 ½ years and the delay is not clearly explained by the petitioner.

4.Records perused. The petitioner is not stated the nature of the sickness, and the period of treatment. No medical records are filed. On the side of the petitioner, it is stated that the petitioner is illeterate and not aware of the disposal of the case.

5.Though the reasons stated are not satisfactory, an opportunity for the petitioner is to be given in the interest of justice. Hence, this petition is allowed on condition of payment of Rs.2,000/- (Rupees Two Thousand only), to the Mediation Centre, attached to this Bench, within a period of one week from the date on which the order copy made ready, failing which, this petition shall stand dismissed automatically without further reference to this Court. If the papers are otherwise in order, the Registry is directed to number and list the matter for admission.

sd/-
19/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT SESSIONS JUDGE
MAHALIR NEETHIMANDRAM, FAST TRACK MAHILA COURT,



2 THE DEPUTY SUPERINTENDENT OF POLICE,
BALAVIDUTHI POLICE STATION, KULITHALAI TALUK,
KARUR DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : 1 THE CO-ORDINATOR
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2. THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/PN/RNB/20.4.18-2P-6C

ORDER
IN
CRL MP (MD) No.1296 of 2017
IN
CRL A (MD) No.SR1518 of 2017
Date :19/04/2018