



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.18948 of 2018

A.K.Rajeswari : Petitioner/Accused

Vs.

1.R.Prathaban

2.State of Tamilnadu rep.by

Public Prosecutor, Nagercoil. : Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue direction to the learned Sessions Judge, Nagercoil, Kanyakumari District to pass order on the Crl.M.P.No.706/2018 to condone the delay of 9 days in filing criminal appeal and consider the Suspension of Sentence Petition filed along with appeal within a short time frame.

For Petitioner : Mr.S.Titus

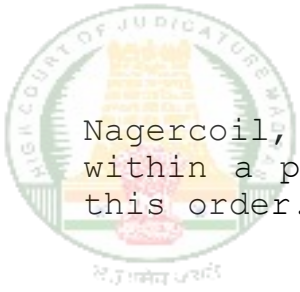
ORDER

This petition has been filed to direct the learned Sessions Judge, Nagercoil, Kanyakumari District in Crl.M.P.No.706 of 2018 to condone the delay of nine days in filing the criminal appeal and consider the suspension of sentence.

2.The learned counsel for the petitioner would submit that the petitioner has been convicted by the Fast Track Court, (Magistrate Level) No.II, Nagercoil for the offence punishable under Section 138 of Negotiable Instruments Act and was sentenced to undergo simple imprisonment of six months and to pay a compensation of Rs.1,50,000/-, in default to undergo simple imprisonment for a period of one month.

2.Aggrrieved by the same the petitioner has preferred an appeal before the Principal District and Sessions Judge, Nagercoil with a petition in Crl.MP No.706 of 2018 for condoning the delay of nine days in preferring the appeal. Since no order has been passed in the above said petition, the present petition has been filed before this Court, seeking to direct the Court below to pass orders in the petition expeditiously.

3.In the facts and circumstances of this case, this Court directs the learned Principal District and Sessions Judge,



Nagercoil, Kanyakumari District to dispose of Crl.MP No.706 of 2018 within a period of one week from the date of receipt of a copy of this order.

4. In view of the above, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-III)

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To

1.The Principal District and Sessions Judge,
Nagercoil, Kanyakumari_District.

2.The Public Prosecutor,
Nagercoil.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Titus, Advocate in SR No.91715

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NM/RSK/SAR III/25.10.18/2P/5C