



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

Monday, the Twenty Sixth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL MP(MD) No.7451 of 2019

in

CRL A(MD)No.SR23834 of 2019

NAGARAJAN

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUPARAKUNDRAM POLICE STATION,
MADURAI DISTRICT
(CRIME NO.40/2013)
DINDIGUL DISTRICT.

... 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 575 days in preferring the above Criminal Appeal in connection with S.C.No.309 / 2017 dated 25.10.2017 on the file of the learned IV Additional District and Sessions Judge, Madurai.

PRAYER in CRL A(MD)No.SR23834 of 2019:

To set aside the Judgment dated 25.10.2017 made in S.C.No.309/2015 on the file of the learned IV Additional District and Sessions Judge, Madurai convicting and sentencing the appellant under Sections 304 Part I of I.P.C to under go Rigorous imprisonment for ten years (10 years) and to pay a fine of Rs.2000/- (Rupees Two thousand only) and in default of payment of fine, to undergo further simple imprisonment for three months and the earlier period of detention by the accused in ordered to be set off u/s 248 of Cr.P.C. by allowing the above criminal appeal.

Order :This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.SATHYA CHIDAMBARAM, Advocate for the petitioner and of MR.R.ANANDARAJ, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to condone the delay of 575 days in preferring the above criminal appeal in
<https://hcservices.ecourts.gov.in/hcservices/>



connection with S.C.No.309 of 2017 dated 25.10.2017 on the file of the learned IV Additional District and Sessions Judge, Madurai.

2.Heard both sides.

3.Mr.R.Anandharaj, learned Additional Public Prosecutor takes notice for the respondent and he submitted that this petition may be allowed on payment of cost.

4.In view of the submission made by the learned Additional Public Prosecutor, this petition is allowed on condition that the petitioner shall pay a sum of Rs.1,000/- to the Legal Aid Service Authority, attached to this Bench, within a period of one week from the date of receipt of a copy of this order.

sd/-
26/08/2019

/ TRUE COPY /

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

TO

1. THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI
- 2.THE INSPECTOR OF POLICE
TIRUPARAKUNDRAM POLICE STATION,
MADURAI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO : THE OFFICER INCHARGE, LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.7451 of 2019
in
CRL A(MD)No.SR23834 of 2019
Date :26/08/2019

gns
PK/JC/SAR-2/04.09.2019 : 2P/5C