

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2020

CORAM:

THE HONOURABLE Mr.JUSTICE **P.N. PRAKASH**

Crl.M.P.No.7238 of 2020
in
Crl.A.No.SR32668 of 2020

State represented by
The Inspector of Police,
Vigilance & Anti-Corruption
detachment,
Vellore.

(Crime No.07 of 2005)

.. Petitioner

Vs.

1.Chinnadurai
2.G.Kuppusamy
3.D.Chandrasekar
4.M.Ramalingam
5.G.Munusamy
6.C.Andi
7.K.Elumalai
8.M.Jayasankar
9.A.Palani
10.Athi @ Athinarayanan
11.Mahendiran

.. Respondents

Prayer in Crl.M.P.No.7238 of 2020: Criminal Miscellaneous Petition filed under Section 5 of the Limitation Act, to condone the delay of 770 days in filing the appeal against the acquittal judgment dated 26.09.2017 passed in Spl.Case No.02 of 2020 on the file of the Chief Judicial Magistrate and Assistant Sessions Court, Tiruvannamalai and convict the respondents/Accused (A-1 to A-11) for the charges framed against them.

Prayer in Crl.A.No.SR32668 of 2020: Criminal Appeal filed under Section 378(i) Cr.P.C. to set aside the judgment and order dated 26.09.2017 passed in Spl.Case No.02 of 2010 on the file of the Chief Judicial Magistrate and Assistant Sessions Court, Tiruvannamalai.

For Petitioner : Mrs.P.Kritika Kamal
Government Advocate
(Crl.Side)

ORDER

The petition in Crl.M.P.No.7238 of 2020 has been filed seeking to condone the delay of 770 days in filing the appeal against acquittal by judgment dated 26.09.2017 passed in Spl.Case No.02 of 2010 on the file of the Chief Judicial Magistrate and Assistant Sessions Court, Tiruvannamalai.

2. The petitioner has not made any sufficient reasons for condoning the delay. It is seen that the order of acquittal was passed on 26.09.2017. From the affidavit filed by the petitioner, it is seen that though the Deputy Legal Advisor has given his opinion for filing the appeal as early as on 20.12.2017, the appeal has been filed only on 11.11.2020.

This Court does not find any satisfactory explanation for the delay. Hence, this criminal miscellaneous petition is dismissed. Consequently, Crl.A.No.SR32668 of 2020 is also dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

nsd

To

1.The Chief Judicial Magistrate
and Assistant Sessions Judge,
Tiruvannamalai.

2.The Inspector of Police,
Vigilance & Anti-Corruption detachment,
Vellore.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

COPY TO

THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, CHENNAI.

Crl.M.P.No.7238 of 2020
in Crl.A.No.SR32668 of 2020

UM(CO)
KP(19/12/2020)



WEB COPY