



Crl.M.P.No.1568 of 2022 & Crl.O.P.No.3381 of 2022 in
Crl.A.No.688 of 2011

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in

Crl.A.No.688 of 2011

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G. CHANDRASEKHARAN, J.

Crl.M.P.No.1568/2022, is filed to condone the delay of 1170 days in filing the petition under Section 5 of the Limitation Act r/w 394(2) of Crl.P.C., to grant leave to the petitioner as the legal heir of appellant/fourth accused-Latha, who died on 09.07.2019, and to continue with the appeal, pending in Crl.A.No.688 of 2011.

2. Crl.O.P.No.3381/2022 is filed seeking leave and permit the petitioner to continue with the Crl.A.No.688/2011.

3. The learned counsel for the petitioner submitted that he is the son of S.Lata and Shantharaman the appellants in Crl.A.No.688/2011. They are the accused 4 and 5 before the trial Court in C.C.No.24/1999 on the file of XI Additional City Civil and Sessions Judge, CBI Cases relating to Banks and Financial Institutions, Chennai. He is not aware of the appeal proceedings, till recently. His mother Latha died on 09.07.2019 and his father Shantharaman is aged about 73 years and suffering from Alzheimer disease and he did not inform about the proceedings. Only recently he came to know



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about the pendency of this appeal. Therefore, this petition is filed to condone the delay in preferring the application and seeking permission to continue the appeal.

4. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor appearing for CBI Cases.

5. It is seen from the affidavit filed in support of the petition and submission made by the learned counsel for the petitioner that his mother died on 09.07.2019, his father is suffering from Alzheimer disease and he is not aware of the pendency of the Criminal Appeal No.688 of 2011. Only recently he came to know about the pending criminal appeal and therefore, he now filed this application to condone the delay and to continue with the appeal.

6. Considering the genuineness in the reasons and accepting the reasons, both the petitions are allowed.

7. The learned Special Public Prosecutor also brought to the notice of this Court that there are three other Criminal Appeals in CrI.A.Nos.621/2011, 707/2011 & 664/2011.



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8. Registry is directed to carry out the necessary amendment in the Criminal

Appeal No.688/2011 and post all these matters together for final hearing on 14.03.2022.

15.02.2022

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