



Crl.M.P.No.3323 of 2022
in Crl.A.No.SR10215 of 2022

P.N.PRAKASH, J.
AND
A.A.NAKKIRAN, J.

(Made by *P.N.PRAKASH, J.*)

This criminal miscellaneous petition has been filed to condone the delay of 1030 days in filing the above appeal challenging the judgment and order dated 20.03.2017 passed in S.C.No.118 of 2015 on the file of the Mahila Court, Salem.

2. Heard Mr.T.Muruganantham, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the respondent/State.

3. On 17.03.2022, this Court passed the following order:

“Mr.R.Muniyapparaj, learned Additional Public Prosecutor takes notice for the respondent.

2. The Registry is directed to verify as to whether the petitioner herein has filed any appeal through any other counsel challenging his conviction and sentence by judgment and order dated 20.03.2017 passed in S.C.No.118 of 2015 on the file of the Mahila Court, Salem and place a report before this Court on 07.04.2022.

3. The Registry is also directed to call for a report from the trial Court as to whether the original records and materials objects are available in the trial Court.

Post the matter on 07.04.2022.”

4. Pursuant to the above order, the Registry has put up a note dated 06.04.2022, which reads as under:

“On verification, it is respectfully submitted that the petitioner in the above said case has not filed any appeal through any other counsel challenging his conviction and sentence in S.C.No.118 of 2015 dated 20.03.2017 passed by the Mahila Court, Salem..

It is further respectfully submitted that the Sessions Judge, Mahila Court, Salem, has sent a mail to this Registry regarding availability of Original records and material objects in S.C.No.118 of 2015. The said letter is enclosed at Flag 'A' for Your Lordship's kind perusal.”



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nsd

5. A reading of the above shows that the petitioner has not filed any other appeal through another counsel and that the original records and material objects are available in the trial Court.

In view of the above and accepting the reasons stated in the affidavit filed in support of this petition, the delay of 1030 days in filing the above appeal is condoned. The Registry is directed to number the appeal, if the same is otherwise in order.

**(P.N.P.,J.) (A.A.N.,J.)
07.04.2022**

nsd