



Crl.M.P.No.11975 of 2021
in Crl.A.No.SR34853 of 2021

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P.N.PRAKASH, J.

and

R.N.MANJULA, J.

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

Heard Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the petitioner/State and Ms.K.R.Vinodhinee, learned counsel representing Mr.G.Karthikeyan, learned counsel on record for the respondents/accused.

2. The learned counsel for the respondents submitted that the petitioner/State has not given satisfactory reasons for condonation of delay of 782 days and prayed for rejection of this petition.

3. It is seen that the Inspector of Police, Kariyapattinam Police Station, Nagapattinam District, has filed an affidavit dated 22.09.2021, wherein, in paragraph no.3, he has stated as follows:

“3. I humbly submit that, the legal opinion along with the judgment copy was submitted before the Superintendent of Police, Nagapattinam District. The Superintendent of Police, Nagapattinam District sent the proposal on 20.11.2019 vide his Letter in C.No.C1/13792/2019 to the Director General of police, Tamil Nadu State, seeking for Government approval for processing the appeal. The Director General of Police in



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turn forwarded the said proposal to the Joint Secretary to Government, Home Department, Secretariat, Chennai, vide R.C.No.943/305556/Crime I (2)/2019, dated 11.12.2019. Subsequently, the Government sent the proposal to the office of the Public Prosecutor, High Court, Madras, on 19.12.2019 vide Govt.Lr.No.72447/Cts VII/2019-1 and the same was received by the Public Prosecutor's Office, High Court, Madras on 19.12.2019.

After perusing the entire records, the Public Prosecutor, High Court of Madras thought that this is a fit case filing an appeal against the acquittal and accordingly sent a Legal Opinion to the Joint Secretary to Government, Home (Cts.VII), Department dated 03.01.2020. ”

Accepting the aforesaid reasons, the delay of 782 days in filing the above appeal stands condoned. The Registry shall number the leave petition before numbering the appeal, if the same is otherwise in order and post the leave petition in usual course. The Registry shall also print the names of Mr.G.Karthikeyan and Ms.K.R.Vinodhinee as the learned counsel for the respondents/accused in the cause list.

(P.N.P.,J.) (R.N.M.,J.)
06.01.2022

nsd



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