



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

Wednesday, the Seventh day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
and
The Hon`ble Mr.Justice SUNDER MOHAN

Crl.M.P(MD)No.14058 of 2022
in
Crl.A(MD)SR.No.39157 of 2022

M.RAKKAYEE

... APPELLANT/P.W.1

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
B1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.107 OF 2019.

... RESPONDENT/COMPLAINANT

2 MUKESH KANNA @ MUKESH KANNAN
3 KARUPPAIAH
4 KAMALA @ KAMALAM

...RESPONDENTS/
ACCUSED NO. 1 TO 3

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to condone the delay of 14 days in preferring appeal before this Honble Court as against the judgment delivered by the Additional District and Sessions Judge, Ramanathapuram in SC.No.111 of 2020 vide judgment dated 26.08.2022 pending disposal of the main Crl.A. Pending on the file of this Hon'ble Court.

PRAYER IN Crl.A(MD)SR.No.39157 of 2022:

To call for the entire records and set aside the judgment delivered by the Additional District and Sessions Judge, Ramanathapuram in S.C.No.111 of 2020 vide judgment dated 26.08.2022 and consequently convict the respondents No. 2 to 4 under the penal provisions referred to in the charges of the said case and consequently impose maximum punishment provided under the law.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ANAND R, Advocate for the petitioner and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondent No.1, the court made the following order:-



This petition is filed to condone the 14 days in preferring the appeal against acquittal. The respondents 2,3 & 4, who face trial in S.C.No.111 of of 2020 and earned an order of acquittal, were directed to appear before the trial Court on or before 30.11.2022 and executed a bond under Section 88 of Cr.P.C., for a sum of Rs.10,000/-. This order dated 16.11.2022 not yet so far complied with. However, the respondents 2,3 & 4 have today entered appearance through their counsel and the same is taken on record. The time for executing the bond under Section 88 of Cr.P.C., is extended till 15.12.2022.

2.As far as the petition to condone the delay of 14 days in preferring the appeal is allowed.

3.Registry is directed to number the appeal, if it is otherwise in order and list it for admission on 19.12.2022.

4.In the meanwhile, the learned counsel for the respondents 2,3 & 4 is directed to file the compliance report.

5.List the matter on 19.12.2022.

sd/-

07/12/2022

/ TRUE COPY /

/12/2022

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

TO

1.THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
RAMANATHAPURAM.

2.THE INSPECTOR OF POLICE
B1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-14508[I] dated
07/12/2022)

ORDER IN
Crl.M.P(MD)No.14058 of 2022
in
Crl.A(MD)SR.No.39157 of 2022
Date :07/12/2022

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USK/VR/SAR-II/13.12.2022/2P/5C

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