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CrI.M.P.No.15691 of 2023

CrI.M.P.No.15691 of 2023
in
CrI.A.SR.No.48118 of 2023

M.NIRMAL KUMAR, J.

This petition has been filed seeking to dispense with the production of certified copy of the judgment in Spl.S.C.No.38 of 2021 dated 28.02.2023 passed by the learned Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram.

2. The petitioner, who is the sole accused in Spl.S.C.No.38 of 2021, was convicted by the trial Court by judgment dated 28.02.2023. The appeal was filed by the counsel with a delay, the same has been condoned. Thereafter this petition has been filed. In the affidavit of condonation of delay, there is no reference about the misplacing of the certified copy of the judgment. Learned counsel for petitioner orally submitted that lower Court advocate taken the certified copy, thereafter, neither he preferred an appeal nor returned back the certified copy. Hence, he was constrained to filed the above petition.



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rsi

3. Though there is no supporting affidavit, considering the fact that petitioner is inside the prison from the date of judgment and it is a statutory appeal and also on the verification it is found that no appeal has been filed on behalf of the petitioner.

4. Hence, the production of certified copy of the judgment in Spl.S.C.No.38 of 2021 dated 28.02.2023 is dispensed with for the present.

11.10.2023

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Note: Registry is directed to number the Appeal, if it is otherwise in order.

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