



CRL MP(MD) No.13599 of 2023

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

Wednesday, the Eighteenth day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

**CRL MP(MD) No.13599 of 2023
in
CRL A(MD) SR. No. 34841 OF 2023**

PITCHAI AROKIYAM

... PETITIONER/ APPELLANT

Vs

1 V.SANTHI

2 VELLAISAMY

... RESPONDENTS/ ACCUSED

Criminal Miscellaneous 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 176 days in filing the criminal appeal against the Judgment of Judicial Magistrate No.I, Kulithalai in S.T.C No. 597 of 2016 in dated 05.01.2023.

PRAYER IN CRL A(MD)SR.No. 34841 of 2023

To call for the records pertaining to the judgment dated 05.01.2023 passed by the Judicial Magistrate No.I, Kulithalai in STC No. 597 of 2016 and set aside the same.



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Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.LENIN KUMAR.T, Advocate for the petitioner and of MR.K.ASOKKUMAR, Advocate on behalf of the 1st Respondent and of Mr.V.KARUNANITHI, Advocate for the 2nd Respondent, the court made the following order:-

This Petition is filed to condone the delay of 176 days in filing the Criminal Appeal before this Court.

2. The learned counsel for the petitioner as well as the learned counsel for the respondents are present before this Court.

3. The learned counsel for the respondents have raised the formal objections.

4. Heard the learned counsel appearing for the petitioner and the learned counsel for the respondents and also perused the materials placed before this Court.

5. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay of 176 days in preferring the Criminal Appeal is condoned on payment of costs of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) each, by the petitioner to the respondents (In total Rs.5,000/-) within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without further reference to this Court. Accordingly, this Criminal Miscellaneous Petition is allowed.



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6. If the amount paid within a time stipulated by this Court, Registry is directed to number the Criminal Appeal, if it is otherwise in order and list the same for admission.

sd/-
18/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO

1 THE JUDICIAL MAGISTRATE NO.I
KULITHALAI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

COPY TO
THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.13599 of 2023
in
CRL A(MD) SR. No. 34841 OF 2023
Date :18/10/2023

PKP/JGB/SAR- /26.10.2023/ 3P/ 4C
Madurai Bench of Madras High Court is issuing certified
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