



Crl.MP.No.10150 of 2024 in Crl.A.SR.No.32919 of 2024

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M.NIRMAL KUMAR, J.

This petition is filed to condone the delay of 304 days in filing the above Criminal Appeal against the judgment made in Spl.S.C.No.127 of 2019 dated 31.05.2023, on the file of the learned Sessions Judge, Principal POCSO Court, Salem.

2. This appeal has been filed with a delay of 304 days by the State against the judgment of acquittal dated 31.05.2023 passed in Spl.S.C.No.127 of 2019. The certified copy of the judgment was applied on 05.06.2023 and the same was made ready and received on 06.07.2023. Thereafter, an opinion was sought from the Special Public Prosecutor, POCSO Court, Salem and who gave opinion on 12.07.2023. The Superintendent of Police, Salem forwarded the appeal grounds to the Director General of Police. Thereafter, he sent a proposal to the Additional Secretary to Government, Social Welfare and Women



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Empowerment (SW.5) Department, Secretariat, Chennai by communication

dated 19.09.2023. Subsequently, the Government sent the proposal to the office

of the Public Prosecutor, High Court, Madras on 17.05.2024 and the same was

received by the Public Prosecutor's office, High Court, Madras on 21.05.2024.

After perusing the entire records, the Public Prosecutor, High Court of Madras

opined that this is a fit case for filing an appeal against acquittal and thereafter,

sent his legal opinion to Additional Secretary to Government, Social Welfare

and Women Empowerment (SW.5) Department, Secretariat, Chennai on

03.06.2024. Ms. M.Sumithra, presently working as Inspector of Police,

Edappady Police Station, Salem, joined in the present station on 20.03.2024.

Thereafter, she had collated all the documents and appeared before the learned

Public Prosecutor on 28.06.2024 with records to file the appeal and hence, the

delay had occurred.

3. In this Case, it is seen that notice has been served to the respondent

on 22.07.2024 and the name of the respondent printed in the cause list. But,



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there is no representation on behalf of him. It is seen that the respondent has no serious objection. The reason given by the Inspector of police for the delay is convincing and the same is accepted.

4. In view of the same, delay is condoned, accordingly, this petition is ordered.

07.08.2024

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



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