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Crl.MP.No.10682 of 2024 in Crl.A.SR.No.35042 of 2024

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M.NIRMAL KUMAR, J.

This petition is filed to condone the delay of 96 days in filing the above Criminal Appeal against the judgment made in Spl.S.C.No.35 of 2022 dated 29.12.2023, on the file of the learned Sessions Judge, Fast Track Mahila Court, Ariyalur District.

2. This appeal has been filed with a delay of 96 days by the State against the judgment of acquittal dated 29.12.2023 passed in Spl.S.C.No.35 of 2022. The certified copy of the judgment was applied on 04.06.2024 and the same was made ready and received on 12.06.2024. Thereafter, an opinion was sought from the Special Public Prosecutor, Fast Track Mahila Court, Ariyalur District and who gave opinion on 29.12.2023. The Inspector of Police, Ariyalur District sent a proposal to the Director General of Police / Head of Police force, Chennai through proper channel and proposal forwarded to the Secretary to



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Government, Social Welfare and Women Empowerment (SW.5) Department,

Secretariat, Chennai vide communication dated 25.03.2024. Subsequently, the

Government sent the proposal to the office of the Public Prosecutor, High

Court, Madras on 07.05.2024 and the same was received by the Public

Prosecutor's office, High Court, Madras on 07.05.2024. 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 Secretary to Government, Social Welfare and Women Empowerment

(SW.5) Department, Secretariat, Chennai on 14.06.2024. Ms. Vijayalakshmi,

presently working as Inspector of Police, All Women Police Station, Ariyalur

District, joined in the present station on 24.04.2023, collated further materials

and appeared before the learned Public Prosecutor on 10.07.2024 with records

to file the appeal and hence, the delay occurred.



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3. In this Case, it is seen that notice served to the respondent on 30.07.2024 and the name of the respondent printed in the cause list. But, 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.

14.08.2024

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



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