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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.M.P.No.16429 of 2023
in Crl.A.No.(Sr) 51143 of 2023

Raju

...Petitioner

Vs.

Saranya

...Respondent

PRAYER in Crl.MP.No.13092 of 2023: Criminal miscellaneous petition has been filed under Section 5 of Limitation Act, to condone the delay of 16 days in preferring the Criminal Appeal before this Court against the judgment dated 19.07.2023 in CC.No.355 of 2016 on the file of the learned Judicial Magistrate-I, FTC, Coimbatore.

PRAYER in Crl.A.SR.No.51143 of 2023: Criminal Appeal has been filed under Section 378(4) of Cr.P.C., to set aside the order dated 19.07.2023 in CC.No.355 of 2016 on the file of the learned Judicial Magistrate-I, FTC, Coimbatore.

For Petitioner : Mr.K.Balasubramanian

For Respondents : NRN



ORDER

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The petitioner/defacto complainant has filed this petition to condone the delay of 16 days in preferring the Criminal Appeal before this Court against the judgment dated 19.07.2023 in CC.No.355 of 2016 on the file of the learned Judicial Magistrate-I, FTC, Coimbatore.

2. This Court, on the earlier occasion, ordered notice to the respondent and the same was returned as "no such person". Therefore, vide order dated 16.04.2024, this Court directed the Government to serve notice to the respondent through the jurisdictional police and post the matter on 06.06.2024.

3. When the matter is taken up for hearing on 06.06.2024, the learned Government Advocate filed AOS stating that on verification, no such person available in the particular address.

4. This Court is not convinced by the reasons stated in the affidavit filed by the petitioner. The reasons appeared to be very vague and unbelievable. The petitioner has not even completed service on the respondent. Therefore, no useful purpose will be served by entertaining this appeal. Hence, the



miscellaneous petition is dismissed and the appeal is also rejected at the SR stage itself.

21.06.2024

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To

1. The Judicial Magistrate-I, FTC, Coimbatore.
2. The Public Prosecutor,
High Court of Madras.



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M.DHANDAPANI,J.

Rli

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