



Crl.MP(MD)No.6103 of 2024 in Crl.A(MD)SR No.17531 of 2024

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G.ILANGOVAN, J

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This Criminal Miscellaneous Petition is filed to condone the delay of 280 days in filing the above said appeal against the judgment passed in STC No.18 of 2022 by the Judicial Magistrate, Fast Track court at Magistrate Level, Palani, dated 06/07/2024.

2.The petitioner herein filed a private complaint under section 200 Cr.P.C against the respondent for punishing under section 138 of the Negotiable Instruments Act. The trial court acquitted the respondent, by judgment, dated 06/07/2023. The appeal ought to have filed within 30 days from the date of judgment. But the petitioner affected by jaundice. There was a delay of 280 days in preferring the appeal. So, this petition is filed.

3.The respondent made strong objection stating that consistent view has been taken by this court in case of condonation of delay; proper reason must be assigned. In support of his contention, he is also referring to the similar order passed by this court in Ramasamy Vs. Subramaniyan (Crl.MP(MD)No.732 of 2024 in Crl.A(MD)SR No. 1803 of 2024, dated 28/08/2024.



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4.Now whatever it may be, reading of the affidavit shows that he was affected by jaundice. But except stating so, no other material or reason is placed before this court. 280 days is a huge delay, which cannot be condoned without any proper reason. The respondent cannot be kept on perpetual threat of prosecution.

5.In the result, this petition is **dismissed**.

27/09/2024

Index:Yes/No
Internet:Yes/No

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