



*Crl.M.P.(MD).No.6591 of 2024 in
Crl.A.(MD).SR.No.18487 of 2024*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.M.P.(MD).No.6591 of 2024
in
CrI.A.(MD).SR.No.18487 of 2024

Crl.M.P.(MD).No.6591 of 2024:

S.Ponnuthai

... Petitioner

Vs.

1.The State rep by
The Inspector of Police,
Rayappanpatti Police Station,
Theni District.

2.Boominathan

3.Perumayee

...Respondents

PRAYER in Crl.M.P.(MD).No.6591 of 2024: Criminal Miscellaneous Petition has been filed under Section 5 of Limitation Act, to condone the delay of 5168 days in preferring the above appeal and consequently set aside the order of acquittal as made in C.A.No.28 of 2007, on the file of the learned Principal District and Sessions Judge, Theni, dated 11.03.2008 and reversing the judgment of the trial Court in C.C.No.1022 of 2005 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District dated 17.07.2007.



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Crl.A.(MD).SR.No.18487 of 2024:

Criminal Appeal has been filed under Section 372 Cr.P.C., to allow the appeal and consequently set aside the order of acquittal as made in C.A.No.28 of 2007, on the file of the learned Principal District and Sessions Judge, Theni, dated 11.03.2008 and reversing the judgment of the Trial Court in C.C.No.1022 of 2005 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District, dated 17.07.2007 as against the respondent Nos.2 and 3.

For Petitioner : Mr.K.Prabakaran

For Respondent : No appearance

ORDER

This petition has been filed by the petitioner to condone the delay of 5168 days in preferring the above appeal and consequently set aside the order of acquittal as made in C.A.No.28 of 2007, on the file of the learned Principal District and Sessions Judge, Theni, dated 11.03.2008 and reversing the judgment of the trial Court in C.C.No.1022 of 2005 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District dated 17.07.2007.

2. Today (13.11.2024), when the matter was taken up for hearing, it is stated by the learned counsel appearing for the appellant that the appellant died and despite notice was sent to the legal heirs of the deceased appellant, they have



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not turned up. According to him, steps could not be taken.

3.In view of the above, this Criminal Miscellaneous Petition is dismissed as abated. Consequently, the Criminal Appeal is dismissed as withdrawn at the SR stage itself.

13.11.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No

sbm

To

- 1.The Judicial Magistrate,
Uthamapalayam, Theni.
- 2.The Principal District and Sessions Court,
Theni.
- 2.The Section Officer,
Criminal Section (Records),
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

sbn

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