



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CrI.O.P.No.26975 of 2025

The State of Tamilnadu rep. By
The Inspector of Police,
Thiruthuraipoondi Police Station,
Thirvarur District.
(Cr.No.156 of 2022)

... Petitioner

Vs.

Sathish

... Respondent

Prayer: This Criminal Original Petition has been filed under Section 378(4) of Cr.P.C./419 of BNSS seeking leave to file an appeal against the judgment of acquittal passed in S.C.No.54 of 2022 dated 12.08.2024 by the learned Principal District and Sessions Judge, Thiruvarur.

For Petitioner : Mr.S.Sugendran
Addl. Public Prosecutor

For Respondent : Mr.Mohammed Ismail

ORDER

(Order of the Court was made by P.VELMURUGAN, J.)

This petition has been filed by the State seeking leave of the Court to file an appeal against the judgment of acquittal passed by the learned Principal District and



Sessions Judge, Thiruvarur.

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2 Mr.S.Sugendran, learned Additional Public Prosecutor for the petitioner/State would submit that the trial Court acquitted the respondent/accused solely on the ground of delay in filing the complaint, but the trial Court miserably failed to consider the oral and documentary evidence produced by the prosecution, through which, prosecution has proved its case beyond all reasonable doubts. This is a fit case to file an appeal. Therefore the learned Additional Public Prosecutor prays leave of this Court to file the appeal.

3 Learned counsel appearing for the respondent would submit that except P.W.2 all other witnesses are hearsay witnesses. The trial Court after considering all the facts and the evidence, found that the prosecution has not proved its case beyond all reasonable doubts and hence acquitted the respondent, which is well founded and reasonable.

4 Heard the learned Additional Public Prosecutor for the petitioner/State and the learned counsel appearing for the respondent.



Crl.O.P.No.26

5 There are arguable grounds raised in the grounds of appeal, which can be decided only after hearing the appeal on merits. There are materials to grant leave.

6 Therefore leave granted.

[PVJ] [MJRJ]
02.12.2025

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Note: Registry is directed to take the appeal on file,
if it is otherwise in order

To

1. The Principal District and Sessions Judge, Thiruvavarur.
2. The Inspector of Police, Thiruthuraipoondi Police Station, Thirvarur District.
2. The Public Prosecutor, Madras High Court.



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Crl.O.P.No.26.12.2025

P.VELMURUGAN. J.
and
M.JOTHIRAMAN, J.

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