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CRL MP NO.18615 of 2024
in CRL A.SR. NO.67196 OF 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25-02-2025**

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP NO. 18615 of 2024

IN

CRL A SR NO. 67196 OF 2024

State Of Tamilnadu
Rep By, The Inspector Of Police,
Vigilance And Anti Corruption, Nagapattinum.
(Crime No.08 of 2014)

Petitioner(s)

Vs

T.Seethalakshmi
D/o.Thangavelu, W/o.Sekar, Rural Welfare Officer,
Bdo Panchayat, Union Office, Muthupettai,
Tiruvarur District.

Respondent(s)

CRL A SR NO. 67196 of 2024

State Rep By

Appellant(s)

Vs

T.Seethalakshmi

Respondent(s)

For Appellant(s):

Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

For Respondent(s):

Mr.K.M.Subramanian



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ORDER

This petition is filed by the State to condone the delay of 39 days in filing the above Criminal Appeal.

2.The petitioner/complainant filed a charge sheet against the respondent for offences under Sections 7 r/w 13(2) r/w 13(1)(d) of the Prevention of Corruption Act. During trial, on the side of prosecution PW1 to PW13 examined and Exs.P1 to P22 marked and M.O.1 to M.O.5 produced. On the side of the defence, no witnesses examined and Exs.D1 to D3 marked. The trial Court after full-fledged trial rendered a judgment of acquittal, against which, the State preferred this appeal with a delay of 39 days.

3.The reason given for the delay is that the petitioner received the certified copy of judgment on 12.09.2024, though he applied on 28.08.2024. Further opinion was sought for from the Deputy Legal Advisor, Vigilance and Anti-corruption, Thiruvavarur, who gave an opinion for filing appeal on 13.09.2024. Thereafter, it was sent to Director, DVAC and the proposal was sent to the Secretary to the Government on 14.10.2024. Subsequently, the Government sent the proposal to the office of the Public Prosecutor, High



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Court, Madras on 13.11.2024. After obtaining opinion on 28.11.2024 and collecting documents, the appeal was filed with a delay of 39 days. The petitioner has been diligently following the case and taking all steps and the delay has occurred due to procedural wrangles.

4.The learned counsel for respondent filed his counter and submitted that the trial Court had clearly given a wording that the document/Ex.P2 is a fabricated document and the case was proceeded on a fabricated document, hence, on merits, rendered a detailed judgment. To spite vengeance, the respondent has been now attempted to be prosecuted by filing an appeal.

5.The contention of the petitioner as well as respondent is considered. The merits of the case can be decided at the time of admission. The reason given by the petitioner for delay is acceptable. Accordingly, the delay stands condoned and the petition is ordered.

25.02.2025

rsi

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



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M. NIRMAL KUMAR, J.

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