



C.M.P.(MD)No.489 of 2025
in CrI.A.(MD)SR.No.1451 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

C.M.P.(MD)No.489 of 2025
in
CrI.A.(MD)SR.No.1451 of 2025

State of Tamil Nadu
Rep. By The Inspector of Police,
All Women Police Station,
Orathanadu,
Thanjavur District.

... Petitioner

versus

1. Rajasrikan

2. Selinba

...Respondents

Prayer in C.M.P.(MD)No.489 of 2025: Petition filed under Section 5 of Limitation Act, to condone the delay of 462 days in filing the Criminal Appeal.

Prayer in CrI.A.(MD)SR.No.1451 of 2025: Application filed under Section 378(i) Cr.P.C. and under Section 419 of BNSS 2023, seeking to set aside and call for the order of acquittal rendered in Judgment dated 04.07.2023 made in Spl.S.C.No.51 of 2019 on the file of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act,



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Thanjavur District.

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For Petitioner : Mr.T.Senthil Kumar,
Additional Public Prosecutor
For R1 : Mr.K.M.Karunakaran
For R2 : Mr.AN.Ramanathan

ORDER

This Civil Miscellaneous Petition is filed to condone the delay of 462 days in filing the appeal. The appeal is filed by the State, represented by the Inspector of Police, All Women Police Station, Orathanadu, Thanjavur District, challenging the the Judgment of acquittal dated 04.07.2023 made in Spl.S.C.No.51 of 2019 on the file of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur District.

2. In the supporting affidavit, it is stated that they got opinion from different Public Prosecutors, therefore, there is a delay of 462 days in filing the appeal.



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3. The reasons assigned by the Department cannot be considered for condoning the delay. The Department is expected to give sufficient reasons for each and every day delay.

3. Since this Court is not satisfied with the reasons stated in the supporting affidavit, this Civil Miscellaneous Petition is dismissed and the Criminal Appeal in CrI.A.(MD)SR.No.1451 of 2025 is rejected at the SR Stage itself.

05.02.2025

NCC :Yes/No
Index :Yes/No.
Internet: Yes/ No.
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B.PUGALENDHI, J.

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