



C.M.P.(MD)No.14413 of 2025
in CrI.A(MD).SR.No.49268 of 2025

WEB CC N.MALA, J.

This application has been filed to condone the delay of 94 days in preferring the criminal appeal against the judgment in Spl.S.C.No.210 of 2023 dated 28.04.2025 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.

2. The petitioner states that based on the complaint lodged by him, the third respondent police conducted an enquiry. Thereafter, the third respondent police registered FIR against the respondents 1 and 2 for offences punishable under Sections 5(l), 5(g) and 6 of the POCSO Act and 506(1) IPC. After completion of investigation, charge sheet was laid before the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul and the same was taken on file in Spl. S.C.No.210 of 2020.

3. The petitioner further states that after completion of full-fledged trial, the accused was acquitted of the charges levelled against him. The petitioner states that after passing of the judgment in Spl.S.C.No.210 of 2025 on 28.04.2025, the petitioner enquired with the third respondent



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regarding the filing of an appeal against the acquittal, and that the third respondent informed him that, they would prefer an appeal before this Court after obtaining legal opinion from the Public Prosecutor. The petitioner states that since he was under the impression that State would prefer an appeal, he did not take any steps to prefer the appeal. However, since the State failed to file the appeal, the petitioner was constrained to file the appeal with a delay of 94 days. Hence, he prayed that the delay may be condoned.

4. When the learned Government Advocate(crl.side) was queried on whether the State had taken steps to file the appeal, he submitted that till date, the State had not taken steps to file appeal.

5. Heard both sides and perused the materials.

6. The submission of the learned Government Advocate (Crl.side), fortifies the explanation given by the petitioner for the delay in filing the appeal.



7. This Court being satisfied with the reasons stated for the delay of 94 days in preferring the criminal appeal, condones the delay. This petition is accordingly allowed. The Registry is directed to number the appeal, if it is otherwise in order.

02.12.2025

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