



Crl.MP(MD) No.14108 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.14108 of 2024

in

Crl.A(MD) SR No.42437 of 2024

The Inspector of Police,
RPF/TPJ Police Station,
Tiruchirappalli
(Crime No.14 of 2010)

... Petitioner

Vs.

Arokkiyaraj

... Respondent

For Petitioner : Mr.D.Saravanan

Central Government Senior Standing Counsel

For Respondent : Mr.R.Manoharan

ORDER

This Criminal Miscellaneous Petition is filed to condone the delay of 862 days in filing the above Criminal Appeal as against the Judgment of acquittal passed by the learned Sessions Judge, Mahila Court, Tiruchirappalli in C.A.No.57 of 2021, dated 31.05.2022.



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2.The learned Central Government Senior Standing Counsel appearing for the petitioner submits that the delay of 862 days in filing the criminal appeal is due to administrative reasons and therefore, the delay may be condoned. In order to substantiate his contention, the learned counsel has relied on the following judgments of the Honourable Supreme Court and this Court, which are as under:-

- i. The State of Madhya Pradesh and others Vs. Bherulal, Spl Leave Petition
Diary No.9217/2020
- ii. The Deputy Director (Recovery) Vs. M/s. Thirumurthy Mills, C.M.P.No.6865
of 2020.
- iii. 2024 SCC online SC3612 (State of Madhya Pradesh Vs. Ramkumar
Choudhary.

3.The learned counsel for the respondent/accused has objected for allowing this petition.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The respondent/accused, who is an employee in Railways along with others



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have involved in a case in Crime No.14 of 2020 on the file of the RPF/TPJ Police Station, for the offence under Sections 3(a) of RP(UP) Act, 1966. The case was charge sheeted and after a full-fledged trial, the respondent/accused was found guilty by the trial Court and he was imposed with a fine of Rs.5000/-, in default, he has to undergo one year simple imprisonment. Aggrieved over the same, the accused has preferred an appeal before the Mahila Court, Trichy, wherein, he was acquitted from the charges, by the first Appellate Court in a Judgment in C.A.No.57 of 2021, dated 31.05.2022. Challenging the same, the RPF/TPJ Police has preferred this Criminal Appeal before this Court with a delay of 862 days. The Department has not explained the reasons properly for delay with the administrative requirements for filing the appeal with a delay of 862 days.

6.Since the delay has not been accounted properly, this Court is not inclined to entertain this petition. Accordingly, this Criminal Miscellaneous Petition is dismissed.

sd/-
03/03/2025

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/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE SESSIONS JUDGE,
MAHILA COURT, TIRUCHIRAPPALLI.
- 2 THE JUDICIAL MAGISTRATE NO.II
TIRUCHIRAPPALLI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUCHIRAPPALLI.

ORDER
IN
CRL MP(MD) No.14108 of 2024
in
Crl.A(MD) SR No.42437 of 2024
Date :03/03/2025

SS/VR/SAR- /01/04/2025/ 4P/4C

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