



C.M.P(MD)No.15481 of 2025
in W.A(MD)SR.No.75409 of 2025

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N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

ORDER

[Order of the Court was made by N.SATHISH KUMAR, J.]

This petition is filed seeking to condone the delay of 1236 days in filing the above Writ Appeal.

2.Heard Mr.C.Jeganathan, learned counsel appearing for the petitioner, and Mr.A.Kannan, learned Additional Government Pleader appearing for the respondent.

3.It is the contention of the petitioner that the order of the learned Single Judge was passed on 22.03.2022 and on the same day, his mother died. Further, a case was registered regarding the alleged unnatural death and also for screening the evidence against the petitioner and the same was taken on file in C.C.No.268 of 2022 on the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai. By judgment dated 05.08.2025, the petitioner was acquitted. Since he was arrested and was under stress and depression, he could not contact his Advocate to take steps to file an appeal. Hence, there is a delay of 1236 days in filing the above Writ Appeal.



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4.Though the respondent filed a counter-affidavit with regard to the delay, the same has not dealt with the allegations made in the affidavit filed in support of the petition.

5.Considering the said aspect, we are of the view that though the delay appears to be abnormal, the reasons assigned appear to be genuine. The judgment in C.C.No.268 of 2022 on the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai, has also been placed before this Court, from which it is seen that the case was disposed of only on 05.08.2025. Therefore, this Court is inclined to allow the petition. Accordingly, the delay is condoned and the petition is allowed.

6.The Registry is directed to number the appeal, if the papers are otherwise in order, and post the appeal “for admission” in the usual course.

[N.S.K., J.] [M.J.R., J.]
06.03.2026

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