

In the Court of Principal Sessions Judge, Kanniyakumari District at
Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,
Principal Sessions Judge.

Friday, the 13th day of March, 2026.

CrI.M.P. No.4488/2025

(CNR No.TNKK01-006466-2025)

P. Manimurugan,
S/o. Paramasivam,
Assistant Inspector of Labour,
Konam, Nagercoil,
Through the Public Prosecutor, Nagercoil.

... Petitioner/Appellant/
Complainant

/Vs./

1. Dr. S.R. Sreenivasa Kannan,
S/o. Retnaswamy,
Vivek Laboratories, Pathalogy Hospital,
Blood Testing and Storage Centre,
253-K11, K.P. Road, Nagercoil.

2. Ramanikannan,
W/o. S.R. Sreenivasakannan,
Vivek Laboratories, Pathalogy Hospital,
Blood Testing and Storage Centre,
253-K11, K.P. Road, Nagercoil.

... Respondents/
Respondents/Accused

This petition coming on 11.03.2026 for final hearing before me in
the presence of Thiru P. Linus Raj, Public Prosecutor for the petitioner and
Thiru G. Sivakumar, Advocate for the respondents and upon hearing and upon

perusing the materials available on record and having stood over for consideration till this day, this Court delivered the following:

ORDER

This petition has been filed praying for condonation of delay of 140 days in filing the criminal appeal challenging the judgment of acquittal passed by the Judicial Magistrate No.II, Nagercoil dated 29.03.2025 in STC No.346/2011.

2. The petitioner claims that he thought that the case was filed under private complaint procedure and so, the appeal against acquittal will lie before the Hon'ble High Court and he approached the Law Officer of High Court to file appeal, but after perusing the case bundle, he was directed to file the appeal before this court and thus, there is a delay of 140 days in filing the appeal and the delay is neither wilful nor wanton. Claiming thus, the delay may be condoned.

3. Upon notice, the respondents have not filed counter.

4. Heard. Perused the materials on record.

5. **The point for consideration that arises in this petition is :-**

(i). Whether the petition deserves to be allowed ?

6. **Point (i) :-**

The petitioner is the complainant. The claim of the petitioner that he thought that the case was filed under private complaint procedure and so, the appeal against acquittal will lie before the High Court and approached the Law Officer of High Court to file appeal, but after perusing the case bundle, the petitioner was directed to file appeal before this court and thus, the delay of 140 days caused in filing the appeal has not been disputed by the respondents by filing counter. There is no material for this court to disbelieve the reason stated by the petitioner for the delay caused in filing the criminal appeal. Considering the above, this court finds that the present petition deserves to be allowed.

7. In the result, this petition is allowed.

Dictated to the typist, typed by her, corrected and pronounced by me in open court this the 13th day of March, 2026.

Sd/-
Principal Sessions Judge,
Nagercoil.

Principal Sessions Court,
Kanniyakumari at Nagercoil.
Fair Order in
Crl.M.P. No.4488/2025
Dt: 13.03.2026