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*Crl. M.P.No.2703 of 2023
in Crl.A.SR.No.5978 of 2023*

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M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,

(Order of the Court was made by M.SUNDAR,J.,)

Captioned 'Criminal Miscellaneous Petition' [hereinafter 'Crl MP' for the sake of convenience and clarity] has been filed with 'condonation of delay' ['COD'] prayer. To be noted, COD is qua 1277 days in filing Criminal Appeal being Crl.A.SR.No.5978 of 2023 as against the sentence handed down by learned Additional Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Erode in Spl S.C.No.5 of 2017 on 23.06.2017.

2. Ms.M.Adhishree, learned counsel representing the counsel on record for petitioner is before us. Learned counsel representing the counsel on record for petitioner submits that the financial difficulty and lack of awareness qua legal aid is the primary reason for the delay.



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3. Mr.R.Muniyapparaj, learned Additional Public Prosecutor accepts notice for the respondent and submits that no other appeal has been preferred by the petitioner. Learned Prosecutor submits that the appeal by co-accused filed in Crl.A.No.125 of 2022 now stands allowed vide judgment dated 09.01.2023.

4. Considering the facts and circumstances of the case and nature of the matter, we have no difficulty in accepting the reason qua COD prayer.

5. Captioned Crl MP ordered as prayed for. Delay condoned. There shall be no order as to costs.

[M.S.J.,] [M.N.K.J.,]
24.02.2023

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