



WEB COPY



CrI.M.P.No.2599 of 2023
in CrI.A. (SR) No.7802 of 2023

M.SUNDAR, J.,

and

M.NIRMAL KUMAR, J.,

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

Captioned 'Criminal Miscellaneous Petition' ['CrI.M.P' for the sake of brevity] has been filed with a 'Condonation of Delay' ['COD' for the sake of brevity] prayer.

2. Delay sought to be condoned is 167 days in filing regular appeal under Section 374(2) of 'Code of Criminal Procedure, 1973 (2 of 1974)' ['Cr.P.C' for the sake of brevity] assailing a judgment and conviction dated 28.06.2022 in S.C.No.172 of 2019 passed by the III Additional District and Sessions Judge, Kallakurichi.

3. Captioned COD petition is under Section 5 of the Limitation Act, 1963

4.Mr.T.Balachandran, learned counsel for petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor, who accepts notice for respondent, are before us.

5. The reason for the delay as articulated in the support affidavit is that mother of the petitioner is unable to make appropriate arrangement to engage a counsel within time.

6. Considering the facts and circumstances of the case and nature of the matter, we are inclined to accede to the prayer. Delay condoned.

Captioned application ordered as prayed for.

[M.S.J.,]

[M.N.K.J.,]

23.02.2023