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*Crl.M.P. No.4145 of 2023
in Crl.A. SR. No.11420 of 2023*

**Crl.M.P. No.4145 of 2023
in Crl.A.SR. No.11420 of 2023**

**M.SUNDAR, J.,
and
N.ANAND VENKATESH, 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 195 days in preferring Criminal Appeal being Crl.A.SR.No.11420 of 2023 as against the sentence handed down by learned Principal Sessions Judge, Tiruppur in Spl. S.C.No.05 of 2019 on 16.06.2021.

2. Mr.R.Muniyapparaj, learned Additional Public Prosecutor accepts notice for respondents 1 and 2 and submits that no other appeal has been preferred by the petitioner.

3. Mr.S.Silambuselvan, learned counsel on record for petitioner is before us.

4. It may not be necessary to dilate further, as Mr.S.Silambuselvan, learned counsel for petitioner advertent to support affidavit submits that



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wife of the petitioner is an illiterate and due to her poor economic condition, she was unable to coordinate with the counsel and the appeal could not be filed in time.

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

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

**[M.S.J.,] [N.A.V.J.,]
24.03.2023**

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