



*Crl.M.P. No.4173 of 2023
in Crl.A. SR. No.13199 of 2023*

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**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 44 days in preferring Criminal Appeal being Crl.A.SR.No.13199 of 2023 as against the sentence handed down by learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Erode in S.C.No.30 of 2019 on 30.11.2022.

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

3. Mr.A.Thiyagarajan, learned counsel on record for petitioners is before us.

4. It may not be necessary to dilate further, as Mr.A.Thiyagarajan, learned counsel for petitioners adverting to support affidavit submits that due to financial constraints the appeal could not be filed in time.



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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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