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Crl.M.P.No.10996 of 2023

Crl.M.P.No.10996 of 2023
in
Crl.A.SR.No.31710 of 2023

M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

[Order of this Court was made by M.SUNDAR,J.,]

Captioned 'Criminal Miscellaneous Petition' [hereinafter 'Crl MP' for the sake of brevity, convenience and clarity] has been filed with 'condonation of delay' ['COD'] prayer. To be noted, COD is qua 53 days delay in filing Criminal Appeal being Crl.A.SR.No.31710 of 2023 as against the judgment of conviction and sentence passed by learned IV Additional Sessions Judge, City Civil Court, Chennai in S.C.No.76 of 2015 on 09.03.2023.

2. Mr.T.R.Sivaraman, learned counsel on record for petitioner is before us. Learned counsel submits that delay sought to be condoned is neither willful nor wanton but owing to difficulty in mobilizing funds for filing appeal.

3. Issue notice. Mr.A.Gokulakrishnan, learned State Additional Public Prosecutor accepts notice for the respondent and submits that no other appeal has been preferred by the petitioner.



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4. Considering the facts and circumstances of the case and the nature of the matter, we accept the reason for delay i.e., the petitioner was unable to mobilize funds in time for filing appeal.

5. Sequitur of the narrative thus far is, delay is condoned and Crl.MP is ordered as prayed for.

[M.S.,J.] [R.S.V.,J.]
31.07.2023

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