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Crl.M.P.No.11164 of 2023

Crl.M.P.No.11164 of 2023
in
Crl.A.SR.No.21617 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 364 days delay in filing Criminal Appeal being Crl.A.SR.No.21617 of 2023 as against the judgment of conviction and sentence passed by learned Sessions Judge, Magalir Neethimandram (FTMC), Udthagamandalam at Nilgiris in S.C.No.4 of 2016 on 16.12.2020.

2. Mr.V.Murali, 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 procedural delay in appointment of legal aid counsel.

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., due to financial difficulty, the petitioner has engaged legal aid counsel to defend his case.

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

[M.S.,J.] [R.S.V.,J.]
01.08.2023

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