



Crl.M.P.No.14525 of 2023
in
Crl.A.SR.No.34728 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 799 days delay in filing Criminal Appeal being Crl.A.SR.No.34728 of 2023 as against the judgment of conviction and sentence passed by learned I Additional District and Sessions Judge, Coimbatore in S.C.No.204 of 2017 on 22.03.2019.

2. Mr.M.Anbalagan, 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 financial constraints in engaging a lawyer and is unaware of the Legal Services Authorities Act for assistance.

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., financial constraint in engaging a lawyer.

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.]
14.09.2023

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