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*Crl.M.P.No.13655 of 2023
in Crl.A.SR. No.15421 of 2023*

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**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 210 days delay in filing Criminal Appeal being Crl.A.SR.No.15421 of 2023 as against the judgment of conviction and sentence passed by learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, in Spl. C.C.No.17 of 2019 (C.N.R. No.TNCB010008732018) on 28.06.2022.

2. Mr.A.Abdul Latiff, 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 poverty, old age of the petitioner's parents and the receipt of judgment from the earlier counsel belatedly.



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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.

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 poverty and old age, the petitioner's parents received the judgment from the earlier counsel belatedly.

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.]
31.08.2023**

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