



*Crl.M.P.No.13376 of 2023
in Crl.A.SR. No.36435 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 418 days delay in filing Criminal Appeal being Crl.A.SR.No.36435 of 2023 as against the judgment of conviction and sentence passed by learned Sessions Judge, Magalir Neethimandram (Mahila Court), Coimbatore, in S.C.No.190 of 2017 on 04.05.2021.

2. Mr.G.Nirmal Krishnan, learned counsel on record for petitioners is before us. Learned counsel submits that delay sought to be condoned is neither willful nor wanton but owing to financial problem and there is nobody to file appeal on behalf of the petitioners.

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 petitioners.



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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 problem and there is nobody to file appeal.

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.]
29.08.2023**

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