



WEB COPY



Crl.M.P.No.11973 of 2023

Crl.M.P.No.11973 of 2023
in
Crl.A.SR.No.36804 of 2023
(Filing Number)

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 50 days delay in filing Criminal Appeal being Crl.A.SR.No.36804 of 2023 as against the judgment of conviction and sentence passed by learned learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, in Spl.S.C.No.33 of 2021 on 06.03.2023.

2. Mr.K.Manikandan, 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 difficulty of petitioner's family.

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 difficulty owing to which family members of the petitioner were unable to engage a counsel quickly / in time for filing an 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.]
16.08.2023

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