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CRL.M.P.NO.11385 OF 2023
IN CRL.A.SR.NO.31531 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 424 days delay in filing Criminal Appeal being Crl.A.SR.No.31531 of 2023 as against the judgment of conviction and sentence passed by learned I Additional Sessions Judge, Cuddalore, in S.C.No.113 of 2020 on 30.03.2021.

2.Ms.A.Veeramarthini, 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.



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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., financial difficulty. To be noted, the petitioner has been provided legal aid counsel to defend his case.

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

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

03.08.2023

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