



*Crl.M.P.No.12447 of 2023
in Crl.A.SR. No.37532 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 453 days delay in filing Criminal Appeal being Crl.A.SR.No.37532 of 2023 as against the judgment of conviction and sentence passed by learned II Additional Sessions Judge, Puducherry, in S.C.No.16 of 2019 (CNR No.PYPY01-001173-2019) on 21.12.2021.

2. Mr.P.K.Suriya, 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 no one to support the petitioner's family and to take care of the case.

3. Issue notice. Mr.K.S.Mohandass, learned Public Prosecutor for Union Territory of Puducherry assisted by Ms.N.Danalatchomy, learned counsel 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., there is no one to support the petitioner's family and to take care of the case.

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.]
17.08.2023**

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