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Crl.M.P.No.12774 of 2023

Crl.M.P.No.12774 of 2023
in
Crl.A.SR.No.15421 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 101 days delay in representing Criminal Appeal being Crl.A.SR.No.15421 of 2023 as against a judgment of conviction and sentence made by learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore in Spl.C.C.No.17 of 2019 on 28.06.2022.

2. Mr.T.Muthuraj, learned counsel representing the 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 delay in receiving the support affidavit from the prison.

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., there was a delay in receiving the support affidavit from the prison for representing the 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.]
22.08.2023

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