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*Crl.M.P.No.13612 of 2023
in Crl.A.SR. No.42140 of 2023*

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in Crl.A.SR.No.42140 of 2023**

**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 475 days delay in filing Criminal Appeal being Crl.A.SR.No.42140 of 2023 as against the judgment of conviction and sentence passed by learned I Additional District and Sessions Judge, Coimbatore, in S.C.No.162 of 2019 on 04.12.2020.

2. Ms.S.Sridevi, 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 pandemic, relatives abandoned the petitioner and no one to help him to file appeal.

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., due to pandemic and there is no one to help the petitioner 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.]
31.08.2023**

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