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Crl.M.P.No.13663 of 2023

Crl.M.P.No.13663 of 2023
in
Crl.A.SR.No.37409 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 66 days delay in filing Criminal Appeal being Crl.A.SR.No.37409 of 2023 as against the judgment of conviction and sentence passed by learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore in Spl.C.C.No.65 of 2021 on 23.03.2023.

2. Mr.K.Prabhakaran, 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 delay in making arrangements by the relatives of the appellant to file an 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., delay in making arrangements to file 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.]
11.09.2023

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