



WEB COPY



Crl.M.P.No.15534 of 2023

Crl.M.P.No.15534 of 2023
in
Crl.A.SR.No.44391 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 122 days delay in filing Criminal Appeal being Crl.A.SR.No.44391 of 2023 as against the judgment of conviction and sentence passed by learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Chennai in S.C.No.200 of 2016 on 28.02.2023.

2. Mr.A.Balamurugan, 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 health ailment and financial constraints in engaging a lawyer in Chennai.

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.



WEB COPY



Crl.M.P.No.15534 of 2023

M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

rsi

4. Considering the facts and circumstances of the case and the nature of the matter, we accept the reasons for delay i.e., health ailment and financial constraints in engaging a lawyer in Chennai.

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.]
29.09.2023

rsi

Crl.M.P.No.15534 of 2023
in
Crl.A.SR.No.44391 of 2023