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Crl.M.P.No.16329 of 2023
in
Crl.A.SR.No.36083 of 2023

M. NIRMAL KUMAR, J.

This petition is filed to condone the delay of 25 days in filing the above Criminal Appeal against the judgment passed in C.C.No.13 of 2019 on the file of Special Judge, I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai dated 26.04.2023.

2. Heard the learned Counsel for the petitioner.

3. Mr.N.P.Kumar, learned Special Public Prosecutor takes notice for the respondent. He strongly opposes the delay petition filed by the petitioner, who is one of the accused in C.C.No.13 of 2019. The trial Court convicted him for the offences under Sections 8(c), 20(b)(ii)(c) and 8(c) r/w 29(1) of NDPS Act and sentenced him to undergo 12 years Rigorous Imprisonment.

4. Learned counsel for petitioner submitted that the opposition of learned Special Public Prosecutor is unreasonable, it is only a statutory appeal. Further submitted that the petitioner has been convicted by the trial Court for a period of 12 years. The petitioner hail from Maharashtra and he has got no relatives in Chennai. Further he was unable to communicate the co-prisoners. For that reason there was a delay.



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5. This Court finds that the explanation given for the delay seems to be reasonable, further it is a statutory appeal. In view of the same, the delay stands condoned and the petition is ordered.

13.10.2023

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Note: Registry is directed to number the Criminal Appeal, if it is otherwise in order.

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