

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3537 OF 2024
IN
CRIMINAL APPEAL [STAMP] NO.18264 OF 2024**

Prakash Abasaheb ThombareApplicant
Versus
The State of Maharashtra
and another Respondents

Mr. Rajesh L. Dharap, Advocate for the Applicant.
Mr. Prashant P. Jadhav, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 09th SEPTEMBER, 2024

P.C. :

1. The Applicant was the accused before Special Judge, Nashik in Special (POCSO) Case No.233/2023. The learned Judge, vide her judgment and order dated 5.4.2024, convicted the Applicant for commission of the offence punishable under Section 376(2)(J)(n) of IPC and under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'POCSO Act'). The major sentence imposed on him was imprisonment for twenty years besides imposition of the fine amount.

PRADIPKUMAR
PRAKASHRAO
DESHMANE

Digitally signed by
PRADIPKUMAR
PRAKASHRAO
DESHMANE
Date: 2024.09.10
14:36:53 +0530

2. Heard Mr. Rajesh Dharap, learned counsel for the Applicant and Mr. Prashant Jadhav, learned APP for the Respondent-State.

3. Learned counsel for the Applicant submitted that the Applicant is from a poor financial background. He was in custody since 14.7.2023. He filed the present Appeal and the Application with the help of the Legal Services Authority of this Court. Once the Advocate was appointed to represent him, time was consumed to collect the papers and to prepare the Appeal and file it. All this has caused delay of 81 days in filing the Appeal. Considering these grounds and in the interest of justice, the delay in filing the Appeal is condoned. The Appeal be processed further. The Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)