

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM

Criminal Original Petition No.27667 of 2015

Jayapal ... Petitioner/Complainant.

Vs

Murugavel ... Respondent/Accused.

Prayer:- This Criminal Original Petition has been filed under Section 378(4) of the Criminal Procedure Code, to grant special leave to appeal before this Hon'ble Court as against the judgment of the learned Judicial Magistrate No.3, Cuddalore, Cuddalore District made in STC No.181 of 2013 dated 24.08.2015 in acquitting the respondent/accused herein for the offence under Section 138 of the Negotiable Instruments Act.

For Petitioner : Mr. A.Arasu Ganesan

ORDER

This Criminal Original Petition has been filed praying to grant leave to file Criminal Appeal SR.No.49906 of 2015 on the file of this Court.

2. It is averred in the petition that the petitioner as complainant, has filed a complaint in question under Section 138 of the Negotiable Instrument Act, 1881, wherein the present respondent has been shown as sole accused. The trial court has taken the complaint in STC No.181 of 2013. After considering the rival evidence adduced on either side has dismissed the complaint and thereby, acquitted the accused. Against the order of acquittal, present Criminal Appeal SR.No.49906 of 2015 has been filed on the file of this Court. Under the said circumstances, the present petition has been filed for getting the relief sought therein.

3. Considering the nature of the relief sought in the petition, the same can be allowed.

In fine, this Criminal Original Petition is allowed.

mrp

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Judicial Magistrate Court No.3,
Cuddalore.
2. -do thro The Chief Judicial Magistrate,
Cuddalore.
3. The Section Officer,
Criminal Section, High Court,
Madras.

(co)
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Crl.O.P.No.27677 of 2015

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