

Crl.O.P.No.9698 of 2015 in
Crl.A.SR.No.52609 of 2015
P.DEVADASS, J.

Leave to appeal as against the order of acquittal passed by the learned Judicial Magistrate III, Salem in C.C.No.38 of 2014, dated 02.09.2014 is sought for.

2. The learned counsel for the petitioner/appellant contended that the trial Court has not properly construed the notice issued. Further, necessary evidence has been let in to show that cheque has been issued to the appellant in discharge of legally recoverable debt. However, this aspect had not been properly viewed by the trial Court in the light of evidence adduced before it. Consequently, the trial Court has rendered adverse findings acquitting the accused.

3 I have anxiously considered the above submissions of the learned counsel for the appellant and perused the impugned judgment.

4 I find certain eminently arguable points both on law and on facts.

5. Thus, leave is granted.

6 Registry is directed to process the appeal memorandum as per rules.

21.4.2015

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