

Crl.O.P.No.14508 of 2016
in
Crl.A.SR.No.47289 of 2015

R.SUBBIAH, J

The complainant in a cheque bouncing case, seeks leave of this Court to prefer an appeal against the acquittal in C.A.No.23 of 2013 dated 23.3.2015 on the file of the learned Principal District Judge, Chengalpattu, reversing the judgment passed in C.C.No.135 of 2012 dated 18.9.2013 by the Fast Track Court, Magisterial Level, Alandur.

2. Though notice was served on the respondent and her name appears in the cause list, she has not chosen to appear before this Court either in person or through counsel.

3. Learned counsel appearing for the petitioner submitted that the issuance of cheque has not been denied by the respondent and she has also admitted the signature found in the cheque. By considering the entire evidence, the trial Court has rightly convicted the respondent by assigning valid reasons. However, the first appellant Court, without properly considering the oral and documentary

evidence, reversed the judgment of the trial Court. Thus, the findings of the first appellate Court suffers from legal perversity.

4. I have considered the submissions of the learned counsel appearing for the petitioner and perused the judgment of the trial Court as well as the first appellate Court and prima facie, I find certain arguable points in this matter. Thus, it is a fit case for leave. Hence, leave is granted. Registry is directed to number the appeal, if it is otherwise in order.

31.08.2016

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DATED: 31.8.2016