

Crl.O.P.No.17521 of 2016
in
Crl.A.SR.No.32579 of 2016

R.SUBBIAH, J

The petitioner seeks leave of this Court to appeal as against the judgment of acquittal passed by the learned I Additional Subordinate Judge, Salem, in S.C.No.14 of 2013 dated 7.3.2016, acquitting the respondents 2 to 12.

2. Learned counsel appearing for the petitioner submitted that the trial Court, without considering the evidence adduced on the side of the prosecution in proper perspective, acquitted the respondents 2 to 12 for the offence under Sections 294(b) and 506(i) I.P.C. and under Section 3(1) of Tamil Nadu Public Property (Prevention of Damages and Loss) Act. Thus, he sought for leave of this Court.

3. Though the respondents 2 to 12 have been served and their names appear in the cause list, they have not chosen to appear before this Court either in person or through counsel.

4. I have heard the learned Additional Public Prosecutor appearing for the first respondent.

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

24.08.2016

sbi

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sbi

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DATED: 24.8.2016