

Crl.O.P.No.7661 of 2016
in
Crl.A.SR.No.8854 of 2016

R.SUBBIAH, J

The petitioner / complainant seeks leave of this Court to appeal as against the judgment of acquittal of the respondents / A.2 and A.3 dated 12.3.2014 passed in S.C.No.125 of 2007 (common judgment passed in S.C.Nos.125 and 355 of 2007) on the file of the Assistant Sessions Court, Ranipet, Vellore District.

2. Learned Additional Public Prosecutor appearing for the petitioner submitted that the trial Court has erred in acquitting the respondents for the offence under Sections 489 (a) (b) (c) (d) and 120(B) I.P.C. on the ground that the seizure of the counterfeit currency notes were not proved beyond reasonable doubt. Further, the trial Court has come to an erroneous conclusion that the place from which the apparatus used for preparation of counterfeit currency notes and xerox machines were recovered, has not been proved beyond reasonable doubt. The said reasoning given by the trial Court for acquitting the respondents, is not legally sustainable, since the contraband in this case is only currency notes and not the apparatus or

xerox machine. Thus, he prays for leave of this Court to appeal as against the judgment of acquittal.

3. Though the respondents 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 the counsel.

4. I have considered the submissions made by the learned Additional Public Prosecutor appearing for the petitioner 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 for leave. Hence, leave is granted. The Registry is directed to number the appeal, if it is otherwise in order.

14.06.2016

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DATED: 14.6.2016