



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.22240 of 2015

in

CRL A(MD)SR.No.38433 of 2015

S.DURAISINGAM

..PETITIONER/APPELLANT/COMPLAINANT

Vs

KANTHAPPAN

..RESPONDENT/RESPONDENT/ACCUSED

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to allow this special leave petition to take the appeal on the file as against the Judgment passed by the Judicial Magistrate Court, (Fast Track Court) at Karaigudi, Sivagangai District in S.T.C.No.37 of 2014.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.K.PRABHU, Advocate for the petitioner and of MR.D.PANNEERSELVAM, Advocate for the Respondent, the court made the following order:-

This is an application filed by the petitioner/appellant to grant special leave to file an appeal as against the Judgment passed by the Judicial Magistrate Court, (Fast Track Court) at Karaigudi, Sivagangai District in S.T.C.No.37 of 2014 dated 30.09.2015.

2. It is clearly stated in the affidavit enclosed with the petition that the reasons given by the lower court for acquittal of the respondent are totally against law and the accused has admitted



his signature and liability also in Ex.P.7. and Ex.P.7 is the petition copy of IP No.3 of 2013, which has been filed by the accused before the Court.

WEB COPY 3. In view of the said submissions, presumption under Sections 118 and 139 are in favour of the petitioner/complainant only.

4. Having considered the reasons stated in the affidavit enclosed with this petition, this Court is inclined to grant leave. Accordingly, special leave is granted.

Sd/-
18/02/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE, (FAST TRACK COURT),
KARAIGUDI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

Akm/23.02.2016/2p-3c/NGM/SS/SAR-I

ORDER
IN
CRL OP(MD) No.22240 of 2015
Date :18/02/2016