

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2020

CORAM:

THE HONOURABLE Mr.JUSTICE **P.N.PRAKASH**

Crl.O.P.No.12304 of 2020
in Crl.A.No.SR21367 of 2020

G.Thangakumar

... Petitioner/Complainant

Vs.

1.Rasi Furniture
Represented by its
B.S.Giriram,
S/o.B.R.Senniappan,
16, Anjaneyar Koil Street,
Gobichettipalayam,
Erode District.

2.B.S.Giriram,
S/o.B.R.Senniappan,
16, Anjaneyar Koil Street,
Gobichettipalayam,
Erode District.

Respondent/Accused

Criminal Original Petition filed under Section 378 (4) Cr.P.C. to grant special leave to prosecute the above appeal against the judgment and order dated 04.02.2020 passed in S.T.C.No.112 of 2018 on the file of the Judicial Magistrate Court No.I, Gobichettipalayam.

For Petitioner : Mr.N.Manokaran

ORDER

This case is taken up through video conferencing.

2. For the sake of convenience, the petitioner and the respondents will be referred to as the complainant and the accused, respectively.

3. The complainant initiated a prosecution in S.T.C.No.112 of 2018 under Section 138 of the Negotiable Instruments Act, 1881, against the accused, before the Judicial Magistrate Court No.I, Gobichettipalayam. The Judicial Magistrate, by judgment and order dated 04.02.2020, acquitted the accused. Aggrieved by the judgment and order of acquittal, the complainant is before this Court.

4. On reading the judgment and order of the trial Court, there is *prima facie* material to show that the trial Court had fallen in error in acquitting the accused by mis-appreciation of the evidence on record. Hence, leave granted.

The Registry is directed to number the appeal, if the same is otherwise in order.

14.08.2020

nsd

To

The Judicial Magistrate No.I,
Gobichettipalayam.

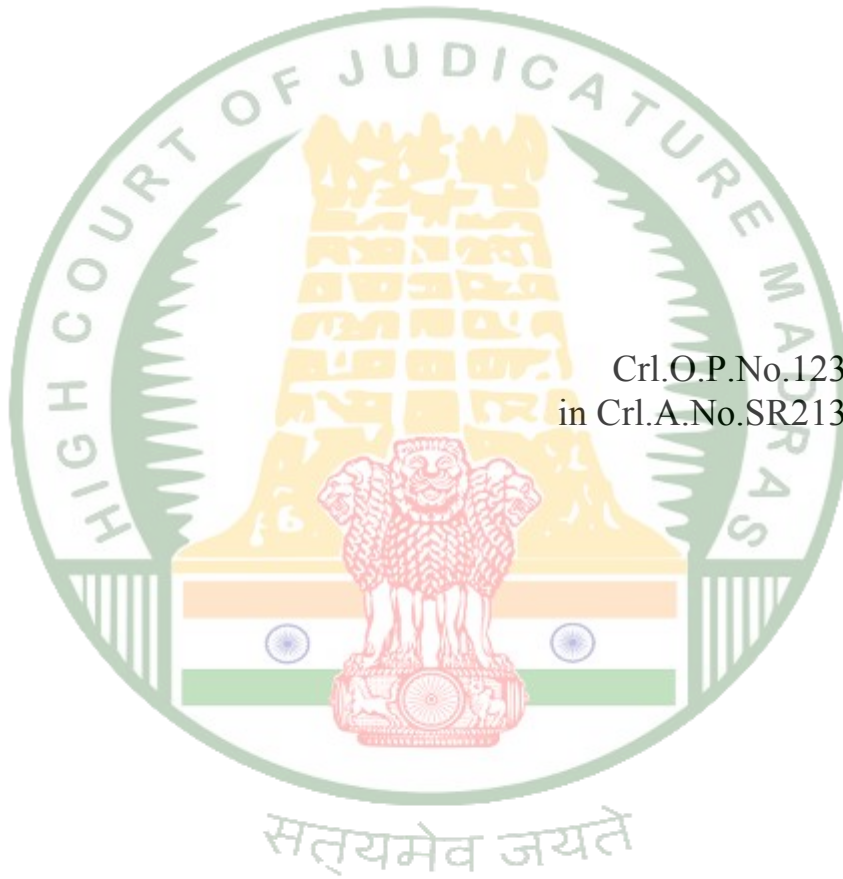


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P.N.PRAKASH, J.

nsd



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