

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2020

CORAM:

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

Crl.O.P.No.12394 of 2020
in Crl.A.No.SR20163 of 2020

Dr.M.Chandrasekar,
S/o.S.K.Mayilanandan,
Managing Director,
SKM Animal Feeds and Foods
India Pvt. Ltd.,
Nanjai Oothukuli Post,
Erode Taluk, Erode District,
Represented by his Power Agent,
B.Thirumavalavan,
The Deputy General Manager,
SKM Animal Feeds and Foods
India Pvt. Ltd.,
Nanjai Oothukuli Post,
Erode Taluk, Erode District.

.. Petitioner/Complainant

सत्यमेव जयते
Vs.

V.M.Duraisamy,
Proprietor,
M.N.Farms,
4/717, Vadakkalur PO,
Annur Taluk,
Coimbatore 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 20.11.2019 passed in S.T.C.No.397 of 2018 on the file of the Judicial Magistrate-cum-Fast Track Court No.I, Erode.

For Petitioner : Mr.K.Muthu Ganesa Pandian

ORDER

This case is taken up through video conferencing.

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

3. The complainant initiated a prosecution in S.T.C.No.397 of 2018 under Section 138 of the Negotiable Instruments Act, 1881, against the accused, before the Judicial Magistrate-cum-Fast Track Court No.I, Erode. The Magistrate, by judgment and order dated 20.11.2019, 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.

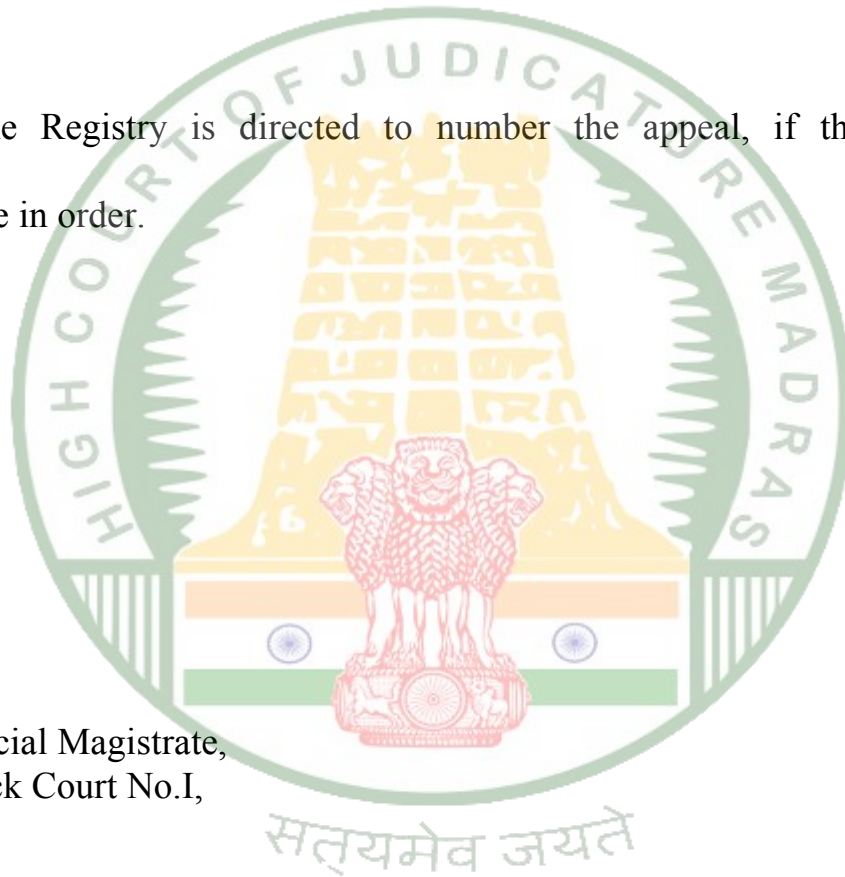
The Registry is directed to number the appeal, if the same is otherwise in order.

nsd

17.08.2020

To

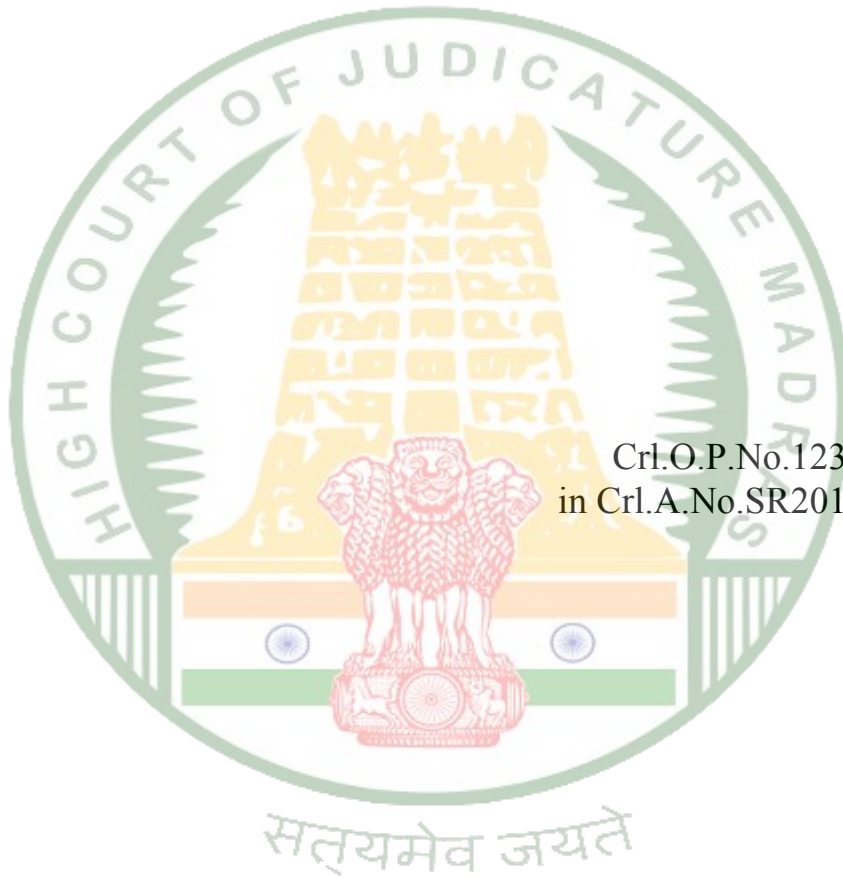
The Judicial Magistrate,
Fast Track Court No.I,
Erode.



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P.N.PRAKASH, J.

nsd



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