

Crl.O.P.No.2297 of 2021 in
Crl.A.SR.2628 of 2021

P.VELMURUGAN, J.

This petition is filed to grant special leave to the petitioner for preferring the above appeal against the judgment dated 12.10.2020 in Crl.A.No.52 of 2020, on the file of the learned Additional District Sessions Judge, Namakkal.

2.The petitioner/appellant herein is the complainant in C.C.No.128 of 2017 on the file of the learned Judicial Magistrate No.I, Namakkal. After due enquiry, on 24.06.2020, the learned Judge convicted the accused for the offence under Section 138 of Negotiable Instruments Act and ordered for payment of compensation of Rs.8,00,000/- by the accused to the complainant. Challenging the said Judgment, the accused preferred an Appeal in Criminal Appeal No.52 of 2020 before the learned Additional District and Sessions Judge, Namakkal. The learned Sessions Judge, after enquiry, reversed the findings of the trial Court and set-aside the order passed by the trial Court. Against the said Judgment, the complainant has preferred the Appeal. Since it is Appeal against the acquittal, the present Criminal Original Petition has been filed to grant leave to file an appeal.

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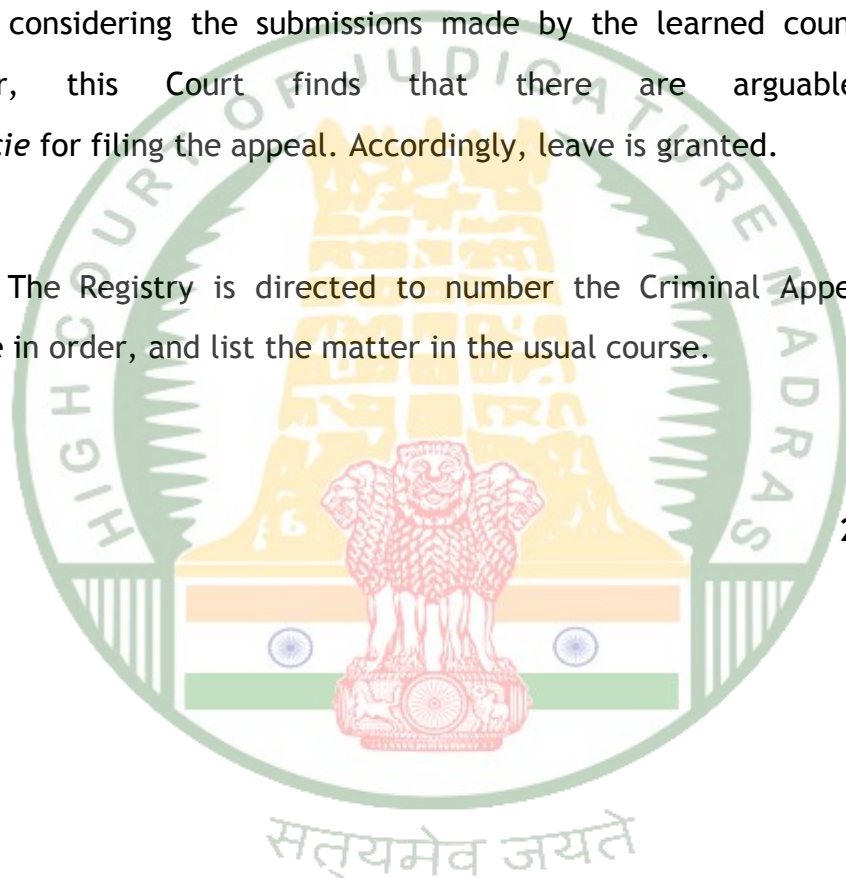
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3. On being satisfied with the averments made in support of this petition and also considering the submissions made by the learned counsel for the petitioner, this Court finds that there are arguable grounds *prima facie* for filing the appeal. Accordingly, leave is granted.

4. The Registry is directed to number the Criminal Appeal, if it is otherwise in order, and list the matter in the usual course.

28.04.2021

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