

Crl.O.P.No.6808 of 2021 in
Crl.A.Sr.No.13693 of 2020

P.VELMURUGAN, J.

This petition is filed to grant special leave to the petitioner for preferring the above appeal against the judgment dated 06.02.2020 in C.C.No.27 of 2017, on the file of the learned Judicial Magistrate No.1, Namakkal.

2. The petitioner/appellant herein is the complainant in C.C.No.27 of 2017, on the file of the learned Judicial Magistrate No.1, Namakkal. After due enquiry, on 06.02.2020, the learned Magistrate dismissed the complaint and acquitted the accused/respondent. Since the complaint filed by the petitioner was dismissed, the present Criminal Original Petition has been filed to grant leave to file an appeal.

3. The learned counsel for the petitioner would submit that during the course of cross-examination, the accused neither denied the liability nor denied the issuance of cheque and further, he neither examined himself as a witness nor produced any document in order to establish his defence. However, the learned Judge, acquitted the accused on extraneous materials, which was not even taken as defence by the accused in his cross-examination.

WEB COPY

P.VELMURUGAN, J.

r n s

4. 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.

5. The Registry is directed to number the Criminal Appeal, if it is otherwise in order and issue notice to the respondent. Private notice is also permitted.

6. List the matter, after service of notice.

15.04.2021

r n s

सत्यमेव जयते
WEB COPY

Crl.O.P.No.6808 of 2021 in
Crl.A.Sr.No.13693 of 2020