

Crl.O.P.No.7455 of 2021
in
Crl.A.Sr.No.13534 of 2021

P.VELMURUGAN, J.

This petition has been filed to grant special leave and permit the petitioner to prosecute the above appeal filed against the order of acquittal dated 10.02.2021 in C.C.No.4689 of 2013 on the file of the VIII Metropolitan Magistrate Court, George Town, Chennai.

2. The petitioner is the complainant, filed a petition in C.C.N.4689 of 2013 under Section 138 of the Negotiable Instruments Act, 1881 before the VIII Metropolitan Magistrate, George Town, Chennai. By an order dated 10.02.2021, the said complaint was dismissed under Section 256 of the Criminal Procedure Code.

3. Though learned counsel for the petitioner pointed out that the petitioner present almost all the days except few days that would due to illness of his mother and due to Covid – 19 pandemic situation. Even, the learned Magistrate without issuing the final notice simply dismissed the petition under Section 256 of the Criminal Procedure Code.

4. Heard the learned counsel for the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner and that there is arguable points in this appeal. Therefore, this petition is allowed and leave is granted to the petitioner to file an Appeal before this Court as prayed for.

P.VELMURUGAN, J.,

dm

6.Registry is directed to take up the Appeal on file, if it is otherwise in order.

26.04.2021

dm



Crl.O.P.No.7455 of 2021
in
Crl.A.Sr.No.13534 of 2021

WEB COPY

26.04.2021