



Crl.O.P.Nos.23155 and 23158 of 2021

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in Crl.A.No.SR43393 and SR43390 of 2021

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A.D. JAGADISH CHANDIRA, J.

These petitions have been filed to grant Leave to the petitioner/appellant to file Criminal Appeals against the Judgment of acquittal, dated 14.09.2021 made in CA.No.38 of 2019 and C.A.No.19 of 2019, on the file of the IV Additional District and Sessions Judge, Coimbatore by reversing the conviction by Judgment, dated 11.01.2019 made in CC No.85 of 2008 on the file of the Judicial Magistrate No.2, Coimbatore.

2. The learned counsel for the petitioner/appellant would submit that the accused have already sold the plot in site No.167 to the petitioner by way of a registered sale deed, dated 11.04.1986. They are well aware that the petitioner is the owner of the property. Suppressing the sale and knowing well the fact that petitioner is the owner of the property, the accused have joined together and sold the very same plot by a subsequent sale on 25.01.2005.

3. The trial Court rightly finding that a case of cheating and forgery is made out against the accused, had found the accused guilty and convicted them.



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However, the appellate Court on erroneous appreciation of facts by concluding that the dispute between the the petitioner and the accused is civil in nature, had allowed the appeal and acquitted the accused.

4. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. In view of the submissions made by the learned counsel, this Court feels that *prima facie* case has been made out for grant of leave. Leave granted.

16.12.2021

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