



CrI.O.P.No.4431 of 2022
in CrI.A.SR.No.7316 of 2022

R.PONGIAPPAN, J.

This petition has been filed to grant special leave to file an appeal before this Court against the judgment dated 27.12.2021 passed in S.T.C.No.40 of 2020 on the file of the learned Judicial Magistrate, Fast Track Court, Attur, Salem District.

2. The learned counsel for the petitioner would submit that the learned trial Judge, after noting the stand taken by the accused as, the signature found in the cheque, belongs to him, refused to invoke Section 139 of N.I. Act. The trial Court ignoring all other evidence placing reliance whether the cheque has been issued for legally enforceable debt or not, had acquitted the accused. Here, it is a case, the issuance of cheque and the signature found in the said documents, are admitted by the accused.

3. Having heard the learned counsel for the petitioner and perused the materials available on record, this Court is of the opinion that a *prima facie* case is made out for grant of leave.



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sri

4. Leave granted.

02.03.2022

Note: Registry is directed to number the appeal, if it is otherwise in order.

sri

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