



Crl.O.P.No.8097 of 2022
in *Crl.A.SR.No.13749 of 2022*

Crl.O.P.No.8097 of 2022
in
Crl.A.SR.No.13749 of 2022

R.PONGIAPPAN, J.

This petition has been filed praying to grant Special Leave to file an appeal against the judgment dated 28.02.2022 in S.T.C. No.16 of 2021, on the file of the Judicial Magistrate (Fast Track Court at Magisterial Level), Omalur.

2. Heard, the learned counsel appearing for the petitioner/appellant.

3. The judgment rendered by the Court below is placed for perusal. The Court below doubted as against the availing of loan by the accused and came to the conclusion that the respondent herein is not an accused and ultimately acquitted the respondent/accused.

4. On the other hand, herein it is a case, where the signature found in the cheque, has not been disputed. Further, to show the probability as he has not availed any loan from the complainant, nobody was examined on the side of the accused.



WEB COPY



Crl.O.P.No.8097 of 2022
in Crl.A.SR.No.13749 of 2022

R.PONGIAPPAN, J.

rsi

5. Having heard the counsel 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.

6. Accordingly, this Criminal Original Petition is allowed.

08.04.2022

rsi

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

Crl.O.P.No.8097 of 2022
in
Crl.A.SR.No.13749 of 2022