



Crl.O.P.No.8521 of 2022
in Crl.A.SR.No.15731 of 2022

R.PONGIAPPAN, J.

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This petition has been filed to grant special leave to the petitioner herein to prefer an appeal against the order of acquittal dated 16.02.2022 made in C.C.No.273 of 2019 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur.

2. Heard the learned counsel appearing for the petitioner.

3. The impugned judgment dated 16.02.2022 was placed before this Court for perusal. It seems that the trial Court, by suspecting over the alleged transaction happened between the petitioner and the respondents, acquitted the accused from the charge. In this regard, in the impugned judgment, in page no.13, it was observed that, the evidence given by the petitioner in respect of the payment of loan, is under suspicious circumstances.



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4. On the other hand, on going through the statutory notice dated 03.11.2018, it was observed that in the last week of December 2017, the respondents received a sum of Rs.40,00,000/- from the petitioner as well as from his wife. Therefore, in respect of the alleged transaction, the evidence let in by P.W.1 needs detailed appraisal. Further, here it is a case, the signature found in the cheque is not at all issued by the respondents as the same is not belongs to them.

5. Hence, in view of the above, the petitioner shown a *prima facie* case for filing an appeal. Accordingly, leave granted.

27.04.2022

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

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