



Crl.O.P.No.8761 of 2022
in Crl.A.SR.No.16365 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 judgment dated 18.11.2021 made in S.T.C.No.36 of 2021 on the file of the learned Judicial Magistrate (Fast Track Court at Magisterial Level), Omalur.

2. Heard the learned counsel appearing for the petitioner.

3. The impugned judgment dated 18.11.2021 is placed before this Court for perusal. The learned Judicial Magistrate, after suspecting over the financial capacity of the complainant as to whether he is having the capacity to lend a sum of Rs.5,00,000/- as loan, acquitted the accused. On the other hand, in the reply notice dated 15.05.2018 (Ex.B.7), the accused has stated that he is having loan transaction with the complainant before the occurrence. In otherwise, on the side of the accused, in respect of the signature found in the cheque, there was no denial.



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4. Hence, in view of the above, the petitioner shown a *prima facie* case for filing an appeal. Accordingly, leave granted and petition is allowed.

19.04.2022

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

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