



Crl.O.P.No.18433 of 2020

Crl.O.P.No.18433 of 2020 in
Crl.A.SR.No.32755 of 2020

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R.PONGIAPPAN, J.

This petition has been filed praying to grant leave to file an appeal against the order of acquittal dated 09.10.2020 passed in STC.No.908 of 2012 on the file of the learned Judicial Magistrate, Perambalur.

2. Heard, the learned counsel appearing on either side.

3. In the impugned judgment, it was observed that the petitioner / complainant has not shown his capability for lending petition mentioned amount as a loan to the respondent. In otherwise, the respondent has not disputed the signature found in the cheque. Therefore, it would necessary to see whether the petitioner / complainant has necessarily proved his capability or not is a question to be decided in this appeal.

4. Having heard the counsels 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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5. Accordingly, this criminal original petition is allowed.

10.03.2022

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

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