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Crl.O.P. No.21366 of 2022
in Crl.A. SR.36188 of 2022

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P.VELMURUGAN, J.,

This petition has been filed under Section 378(4) of Criminal Procedure Code to grant special leave to file an appeal against the judgment dated 03.03.2018 passed by the learned Judicial Magistrate No.1, Salem in C.C. No.126/2012. The respondent was served and the learned counsel entered appearance for the respondent.

2. Learned counsel for the petitioner would submit that the petitioner in the original petition is the complainant. He filed a private complaint against the respondent herein under Section 200 Cr.P.C. for an offence under Section 138 of the Negotiable Instruments Act, 1881, before the learned Judicial Magistrate III, Salem. The learned Magistrate has taken cognizance of the private complaint and after trial, dismissed the complaint on the ground that the complainant has not proved his case. Aggrieved over the dismissal of the complaint and acquittal of the respondent, he has filed an appeal. Since, it is an appeal against acquittal, the present original petition has been filed to grant leave to file the appeal.

P.VELMURUGAN, J.



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Asr

3. I have perused the records and found that some arguable points have been raised in the appeal.

4. This court is satisfied that there are some arguable points in the appeal and therefore, the criminal original petition is allowed. Leave is granted. Registry is directed to take the appeal on file if it is otherwise in order.

28.09.2022

Asr

Crl.O.P. No.21366 of 2022 in
Crl.A. SR. No.31688 of 2022