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Crl.OP.No.29674 of 2022 in Crl.A.SR.46279/2022

Crl.O.P.No.29674 of 2022
in
Crl.A.SR.No.46279 of 2022

V.SIVAGNANAM, J.

Heard the learned counsel appearing for the petitioner.

2. There is no representation on behalf of the respondent, though notice has been served and his name being printed in the cause list.

3. On perusal of records, it is seen that the petitioner/complainant filed a private complaint against the respondent/accused and on taking cognizance of the same in STC.No.189 of 2021, the learned Judicial Magistrate FTC, Ambattur after examining the witnesses and exhibits, dismissed the same, as no case has been made out.

4. The disputed cheque has been given as a security to the husband of the petitioner, but she had not let in any evidence to prove his defence. Anyhow, the petitioner filed the complaint based upon the cheque issued by the respondent/accused and the accused did not deny his signature in the cheque and the cheque has been issued towards repayment of the borrowed amount.



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5. In such circumstances, this court is of the opinion that there is a force in the submission made by the learned counsel for the petitioner and the case requires detailed appraisal of the proof of the offence. In view of the above, leave is granted.

20.12.2022

msr

Note:

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

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