



WEB COPY



Crl.O.P.No.24764 of 2022 in
Crl.A.No.SR47199 of 2022

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P.VELMURUGAN, J.,

The petitioner is the complainant and the respondent is the accused. The petitioner filed a private complaint for the offence under Section 138 of Negotiable Instruments Act before the Judicial Magistrate-I, Perundurai, in STC No.2973 of 2012 and the learned Magistrate after enquiry, dismissed the complaint. Challenging the said order, the complainant has filed the present appeal before this Court. Since, the appeal is against acquittal, he has also filed the Criminal Original petition to grant leave.

2. The learned counsel for the petitioner would submit that the signature found in the cheque was admitted by the respondent and also the defence is that the cheque is issued only for security purpose.

3. The learned counsel for the respondent would submit that he filed vakalat.

4. Heard both side counsel and perused the materials on record. There are arguable grounds in the memorandum of appeal and the execution of cheque is also admitted. Therefore, Leave is granted.

14.11.2022

dh

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



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