



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Seventh day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

Crl.O.P(MD).No.16814 of 2022
in
Crl.A(MD)SR.No.20011 of 2022

M/S.AKSHAYA FINANCE
REP BY ITS MANAGER AND POWER AGENT P.BABU
S/O.PALANISAMY,
OFFICE ADDRESS NO.14, CBM COMPLEX,
CHETTIYAR COLONY, GANDHI ROAD,
THANJAVUR DISTRICT.

... PETITIONER/APELLANT

Vs

K.ARUNPRASATH

... RESPONDENT/RESPONDENT

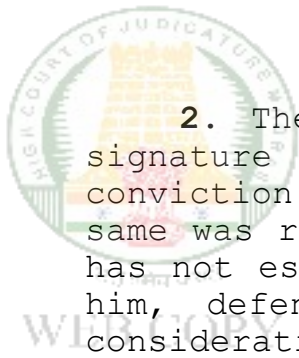
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant Special Leave to file the Criminal Appeal against the Judgment made in Crl.A.No.93 of 2019 dt.6.12.2021 on the file of the Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur reversing the order of Conviction made in S.T.C.No.21 of 2017 dated 05.07.2019 on the file of the Learned Judicial Magistrate Fast Track Court, Thanjavur.

PRAYER IN Crl.A(MD)SR.No.20011 of 2022:

To call for records and set aside, the order made in CRL A.No.93 of 2019 dated 06.12.2021 on the file of the Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, reversing the order of Conviction made in S.T.C.No.21 of 2017 dated 05.07.2019 on the file of the Learned Judicial Magistrate Fastrack Court, Thanjavur.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.SANKARA PANDIAN, Advocate for the petitioner and of M/S.T.A.PUNITHAN, Advocate for the Respondent, the court made the following order:-

This petition has been filed to grant special leave to file the above Criminal Appeal.



2. The learned counsel for the petitioner submitted the signature has been admitted by the respondent and on that basis conviction and sentence has been imposed by the trial Court and the same was reversed by the appellate Court stating that the appellant has not established the legally enforceable liability. According to him, defence was not properly considered. It is a matter for consideration in the appeal.

3. On that ground leave granted.

sd/-
07/12/2022

/ TRUE COPY /

/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE ADDITIONAL DISTRICT JUDGE/
PRESIDING OFFICER,
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT,
THANJAVUR.
- 2 THE JUDICIAL MAGISTRATE FASTRACK COURT, THANJAVUR.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

ORDER
IN
Crl.O.P(MD).No.16814 of 2022
in
Crl.A(MD)SR.No.20011 of 2022
Date :07/12/2022

RK/BUC/SAR-1 (05/01/2023) 2P/4C