



Crl. op.(MD)No.18399 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 27.10.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl. OP.(MD)No.18399 of 2022

in

Crl.A(MD)SR.No.21728 of 2022

K.Sundarathai
represented by Special Power Agent,
Mr.Sadhuragiri

... Petitioner/Appellant

Vs.

Muthulakshmi

... Respondent/Respondent

Prayer : This Criminal Original Petition is filed under Section 378 (4) of C.P.C, to grant special leave to file the Criminal Appeal against the Judgment in C.C.No.439 of 2019 passed by the learned Judicial Fast Track Magistrate Court, Srivilliputtur, Virudhunagar District, dated 25.03.2022.

For Appellant : Mr.T.Lajapathi Roy

For Respondent : Mr.K.Rajeswaran

JUDGMENT

This Criminal Appeal has been filed seeking special leave to file the Criminal Appeal against the Judgment in C.C.No.439 of 2019 passed by the learned Judicial Fast Track Magistrate Court, Srivilliputtur, Virudhunagar District, dated 25.03.2022.



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2. The counsel for the petitioner would submit that without properly appreciating the continuous transaction between the parties, the above said order was passed by the learned Judicial Fast Track Magistrate Court, Srivilliputtur, Virudhunagar District. According to him, even though, balance sheet has shown the existence of liability, the above said cheque has been given only for security purpose during the above said continuous transaction, was accepted by the Trial Court.

3. The only point to be decided in this matter is on the date of the above said cheque, whether there was liability between the parties.

4. On that ground, leave is granted to file Criminal Appeal against the Judgment in C.C.No.439 of 2019, passed by the learned Judicial Fast Track Magistrate Court, Srivilliputtur, Virudhunagar District, dated 25.03.2022.

5. The Registry is directed to number the appeal and list the appeal for final disposal, on **15.11.2022**.

27.10.2022

Index : Yes/No
Internet : Yes/No
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To

The Judicial Fast Track Magistrate Court, Srivilliputtur,
Virudhunagar District.



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G.ILANGOVAN,J

dss

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