



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

Tuesday, the Twentieth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

Crl.O.P(MD)No.16583 of 2022

in

Crl.A(MD)SR.No.32132 of 2022

S. PACKIASELVI

... APPELLANT/COMPLAINANT

Vs

S. LENIN

... RESPONDENT/ACCUSED

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 appeal against the Judgment of Acquittal dated 26.07.2022 passed by the Learned Fast Track Court, (Magisterial Level), Uthamapalayam, Theni District in C.C No. 27/2019.

Prayer in Crl.A(MD)SR.No.32132 of 2022:

To call for the records and set aside the Judgment and Acquittal order passed by the learned Fast Trck Court, (Magisterial Level) Uthamapalayam, Theni District dated 26.07.2022 in C.C.No.27 of 2019 and convicting the respondent.

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.SARAVANAKUMAR, Advocate for the petitioner and of M/S.F.X.EUGENE, Advocate for the respondent the court made the following order:-

This petition has been filed seeking grant special leave file appeal.

2.Only a portion of the consideration has been disputed by the respondent that was considered by the trial Court favourably to the respondent. In respect of alibi and other things that was properly proved by the respondent but that was not taken into account by the trial Court. On the ground that the appeal has been preferred. Whether the portion of the consideration can be disputed is the only point to be decided in the appeal.



3. In view of the above, leave is granted.

sd/-
20/12/2022

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/ TRUE COPY /

/01/2023

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

indu

TO

1. THE JUDGE,
FAST TRACK COURT, (MAGISTERIAL LEVEL),
UTHAMAPALAYAM, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

ORDER
IN
Crl.O.P (MD) No.16583 of 2022
in
Crl.A (MD) SR.No.32132 of 2022
Date :20/12/2022

RK/BUC/SAR- (30/12/2022) 2P/3C