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Crl.O.P No.2606 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **06.02.2023**

CORAM:

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.2606 of 2023
in Crl.A.Sr. No.4977 of 2023

T.Sivaraman

... Petitioner

Vs.

L.Neelakandan

... Respondent

Criminal Original Petition is filed under Section 378(4) of Criminal Procedure Code to grant special leave to file appeal against the judgment dated 19.12.2022 passed by the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Coonoor in S.T.C. No.89 of 2017.

For Petitioners : Mr.L.Mouli

ORDER

This Criminal Original Petition has been filed to grant special leave to file appeal against the judgment dated 19.12.2022 passed by the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Coonoor in S.T.C. No.89 of 2017.



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2. The learned counsel for the petitioner submitted that the cheque amount is for a sum of Rs.4,00,000/-; the petitioner being a party to the proceedings has stated that the financial capacity of petitioner was not considered and the judgment of acquittal has been passed erratically without considering the entire transactions except the statement of accounts (Ex.P5) of the petitioner from the year 2010 to 2017.

3. Considering the submissions made by the learned counsel for the petitioner, I feel it is appropriate to grant leave to the petitioner to file an appeal against the judgment dated 19.12.2022 passed by the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Coonoor in S.T.C. No.89 of 2017.

4. Accordingly, this Criminal Original Petition is allowed.

03.02.2023

Index : Yes/No
bkn



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To:

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1. The Judicial Magistrate,
Fast Track Court at Magistrate Level,
Coonoor.
2. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

bkn

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