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CrI. O.P. No.4557 of 2023
in CrI.A.SR No.8666 of 2023

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R.HEMALATHA, J.

This petition is filed under Section 378 (4) Cr.P.C, to grant special leave to file an appeal against the order dated 18.11.2022 made in STC.No.674 of 2021 on the file of the Special Metropolitan Magistrate / XI Court of Small Causes, Chennai.

2.Heard Mr. K.P.Anantha Krishna, learned counsel for the petitioner.

3.Though notice was served on the respondent and his name was printed in the cause list, there is no representation on behalf of him either in person or through a counsel.

4.The trial Court had acquitted the accused for the offence punishable under Section 138 of the Negotiable Instrument Act, on the ground that there is no legally enforceable debt.

5.Learned counsel for the petitioner contended that though the respondent/accused admitted his signature on the cheque, the trial Court had come to the conclusion based on irrelevant factors.



Crl. O.P. No.4557 of 2023
in Crl.A.SR No.8666 of 2023

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6. In such circumstances, leave is granted as prayed for.

7. Registry is directed to number the Criminal Appeal, if it is otherwise in order, call for the records, prepare paper book and list the matter in usual course.

06.07.2023

mtl



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