



WEB COPY



Crl.O.P.No.12763 of 2023
in Crl.A.SR No.26239 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 prefer an appeal against the judgment dated 24.03.2023 made in C.C.No.128 of 2017 on the file of the Judicial Magistrate No.II, Fast track Court, Coimbatore.

2. Heard Mr.E.V.Chandru @ B.Chandrasekaran, learned counsel for the petitioner and Mr.L.Mouli learned counsel for the respondent.

3. Learned counsel for the petitioner contended that the trial Court had observed that the accused had raised a serious doubts in the version of the case of the case of the complainant and thus the accused had rebutted the presumption under Section 138 of the Negotiable Instruments Act. His further contention is that the accused had nowhere denied his signature on the instrument.

R.HEMALATHA, J.



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4. According to the learned counsel for the petitioner, there are arguable points in the main appeal and therefore, special leave is granted as prayed for.

5.Registry is directed to number the Criminal Appeal, if it is otherwise in order and list the matter under the caption "For Admission" after two weeks.

08.08.2023

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