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Crl. O.P. No.14661 of 2023 and Crl. A SR No.30500 of 2023

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and
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R.HEMALATHA, J.

This petition is filed under Section 378(4) Cr.PC to grant Special leave to prosecute the above Criminal Appeal before this Hon'ble Court, against the order of acquittal dated 13.04.2023 made in C.C. No.127 of 2019 on the file of the Judicial Magistrate No.1, Madhuranthakam.

2. Heard Mr.A. Rajamohamed, learned counsel for the petitioner.

3. The specific contention of the learned counsel for the petitioner is that the complainant got the cheque returned from the bank and thereafter lost it, for which a separate police complaint was given and the police had also issued a missing certificate on 30.01.2019. The trial court, without taking this aspect into consideration, had acquitted the accused merely on the ground that the original cheque was not filed before the Court.

4. In the circumstances, there are certain arguable points in the



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present appeal and hence leave is granted.

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5. Registry is directed to number the Criminal Appeal, if it is in order, prepare the typed set of papers and list the appeal next week.

03.07.2023

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