



WEB COPY



Crl. O.P. No.15309 of 2023 and Crl.A.SR No.31130 of 2023

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and
Crl.A.SR No.31130 of 2023

R.HEMALATHA, J.

This petition is filed under Section 378(4) Cr.P.C, to grant special leave to file an appeal against the judgment dated 25.04.2023 passed in C.C. No.102/2008 by the Judicial Magistrate I, Salem.

2. Mr.D. Vairamoorthy, learned counsel for the petitioner contended that the trial court had placed entire burden upon the complainant to prove his case, especially when the accused had admitted his signature on the cheque. The trial court had not also gone into the presumptions under Sections 118 and 139 of the Negotiable Instruments Act.

3. In the circumstances, there are some arguable points in the present appeal and accordingly, special leave is granted.



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bga

4. 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.

10.07.2023

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