

CrI. O.P. No.15605 of 2023
in
CrI.A.SR No.32019 of 2023

R.HEMALATHA, J.

This petition is filed under Section 378 (4) Cr.P.C, to grant special leave and permit the petitioner to prosecute the above appeal filed against the order of acquittal dated 27.04.2023 made in S.T.C.No.97/2019 on the file of the District Munsif cum Judicial Magistrate Court, Kodumudi.

2.Heard Mr.M.Guruprasad, learned counsel for the petitioner.

3.The learned counsel for the petitioner contended that though the accused admitted his signature on the cheque, the trial Court had placed the entire burden upon the complainant forgetting for a moment the presumption u/s.118 & 139 of the Negotiable Instruments Act.

4.In the facts and circumstances of the present case, there are arguable points in the main appeal and therefore, special leave is granted as prayed for.

R.HEMALATHA, J.

mtl

5. 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.

12.07.2023

mtl

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