



Crl. O.P. No.15504 of 2023 and Crl.A.SR No.32351 of 2023

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Crl. O.P. No.15504 of 2023
and
Crl.A.SR No.32351 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 24.04.2023 passed by the Judicial Magistrate I, Udumalpet, in C.C.No.197/2013.

2. Mr.L.Rajasekar, learned counsel for the petitioner contended that though the respondent/accused admitted his signature on the cheque, the trial court had acquitted the accused without considering the presumptions under Sections 118 and 139 of the Negotiable Instruments Act. He would further contend that even though the complainant had produced the ledger and the other Account Books before the Court, the trial court without considering the same had acquitted the accused without any basis that a cheque issued for chit fund transaction was misused by the present complainant.



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

4. Registry is directed to number the Criminal Appeal, if it is otherwise in order, and list the matter for admission in usual course.

13.07.2023

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