



Crl.O.P.No.28011 of 2023 in Crl.A.SR.No.34064 of 2023

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M.NIRMAL KUMAR., J.

The petitioner as a complainant filed a private complaint against the respondent/accused in C.C.No.78 of 2016 before the learned Judicial Magistrate, Kangayem (trial Court) for offence under Section 138 of the Negotiable Instruments Act, 1881. After full-fledged trial, the respondent was convicted and sentenced to undergo Simple Imprisonment for six months for offence under Section 138 of the Negotiable Instruments Act, 1881. Challenging the same, the respondent/accused preferred an appeal before the learned III Additional District and Sessions Judge, Dharapuram (lower appellate Court) in Crl.A.No.4 of 2020. The lower appellate Court by judgment, dated 09.02.2023 allowed the appeal setting aside the judgment of the trial Court. Aggrieved over the petitioner/complainant has preferred the present Criminal Revision Case.

2.Finding that there is two contrary judgments in the above case, this Court is inclined to grant leave. Accordingly, leave granted.



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3.The Registry is directed to number the appeal and post for admission, if it is otherwise in order.

18.12.2023

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