



WEB COPY



Crl. O.P. No.20098 of 2023
in Crl.A.SR No.40986 of 2023

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R.HEMALATHA, J.

This petition is filed under Section 378 (4) Cr.P.C, to grant leave and permit the petitioner to prosecute the above appeal filed against the order of acquittal dated 20.06.2023 made in C.A.No.11/2017 on the file of the Additional District and Sessions Court, Krishnagiri against S.T.C.No.49/2016 on the file of the Judicial Magistrate, Fast Track Court, Hosur.

2. Heard Ms.S.Agalya, learned counsel for the petitioner.

3. Learned counsel for the petitioner contended that though the trial Court had convicted the accused for the offence punishable u/s.138 of the Negotiable Instruments Act the first appellate court had reversed the findings of the trial Court by shifting the entire burden on the complainant to prove his case.

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



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mtl

5.Registry is directed to number the Criminal Appeal, if it is otherwise in order and list the matter under the caption "For Admission" in the usual course.

01.09.2023

mtl

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