



WEB COPY



Crl. O.P. No.20898 of 2023
in Crl.A.SR No.41833 of 2023

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R.HEMALATHA, J.

This petition is filed under Section 378 (4) Cr.P.C, to grant leave to file an appeal against the order of acquittal dated 08.06.2023 made in C.C.No.7343/2016 on the file of the XX Metropolitan Magistrate, Allikulam, Egmore, Chennai.

2. Heard Mr.T.Shanmugaboopathi, learned counsel for the petitioner.

3. Learned counsel for the petitioner contended that though the accused admitted his signature on the cheque and did not issue any reply to the statutory notice issued by the complainant, the trial court judge had acquitted the accused on the ground that the complainant had deposed that the accused borrowed only a sum of Rs.2,00,000/- from him and therefore, the cheque for a sum of Rs.5,00,000/- cannot be accepted. He drew the attention of this Court the cross examination of PW1 wherein PW1 had clearly denied the suggestion put to him that the accused borrowed only a sum of Rs.2,00,000/- from the complainant.



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

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.

12.09.2023

mtl

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