



WEB COPY



Crl. O.P. No.19735 of 2023
in Crl.A.SR No.35192 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 08.06.2023 made in S.T.C.No.189/2021 on the file of the Judicial Magistrate Court No.1, Udumalpet.

2. Heard Mr.S.B.Viswanathan, learned counsel for the petitioner.

3. Learned counsel for the petitioner contended that the date of missing of cheques was indicated 09.09.2020 both in the paper publication (Ex.D1) as well as in the private complaint and on the other hand in the letter addressed to the Manager, Karur Vysya Bank it is stated that the accused missed his cheques on 07.09.2020. According to the counsel, these aspects were not taken into account by the trial court and therefore, there are arguable points in the main appeal.

4.In the facts and circumstances of the present case leave is granted.



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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.

30.08.2023

mtl

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