



WEB COPY



Crl. O.P. No.20089 of 2023
in Crl.A.SR No.25965 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 19.04.2023 made in C.C.No.49/2020 on the file of the Judicial Magistrate Court, Katpadi.

2. Heard Mr.T.M.Hariharan, learned counsel for the petitioner.

3. Learned counsel for the petitioner contended that the trial court mainly acquitted the accused on the ground that the cheque was presented after the period of expiry though the bank manager in his deposition had deposed that the disputed cheque was presented by dropping the same in the drop box within the period of limitation. According to him, the trial court did not take into consideration the evidence of the bank manager and acquitted the accused.



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4.In view of the same, 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.

01.09.2023

mtl

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