



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eleventh day of January Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.22357 of 2022

IN

CRL A(MD) SR.No.28282 of 2022

M.STAR JANET JOY

... PETITIONER/APPELLANT

Vs

T.JUSTIN DHAS

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant special leave to file the above criminal appeal against the order dated 29.06.2018 made in S.T.C.No.87 of 2016 on the file of the Judicial Magistrate No.I, Padmanabapuram by allowing the above criminal appeal.

Prayer in CRL A(MD)SR.No.28282/2022 :

To call for the records relating to the judgment made in S.T.C.No.87 of 2016 on the file of the Learned Judicial Magistrate NO.I, Padmanabhapuram dated 29.06.2018 and set aside the same and allow this Criminal Appeal and convict the accused for the offence under section 138 of the Negotiable Instrument Act, 1881.

ORDER : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.T.ANTONY ARULRAJ, Advocate for the petitioner and of MR.K.P.NARAYANA KUMAR, Advocate on behalf of the Respondent, the Court made the following order:-

The learned counsel for the petitioner would submit that by wrong misreading of evidence, the trial Court has passed the order of acquittal. Signature as well as issue of cheque is admitted by the respondent, but the discharge of the amount is not been properly proved by the respondent.

2.The learned counsel for the respondent would submit that he has no objection to grant leave to the petitioner.



3.Considering the submission made by the learned Cou or
the Petitioner, leave is granted to the Petitioner.
sd/-
11/01/2023

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/02/2023

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

indu

TO

1 THE JUDICIAL MAGISTRATE NO.I,
PADMANABAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

ORDER

IN

CRL OP(MD) No.22357 of 2022

IN

CRL A(MD) SR.No.28282 of 2022

Date :11/01/2023

RS/VR/SAR.1(01.02.2023) 2P-3C