



Crl.A.No.19 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2024

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.A.No.19 of 2021

Sundari

...Appellant

Vs.

Kalaiaarasi

...Respondent

Criminal Appeal filed under Section 378 of Criminal Procedure Code to set aside the judgment of acquittal dated 24.11.2020 passed in S.T.C.No.5 of 2018 by the Special Judicial Magistrate for Land Grabbing at Salem and allow the appeal.

For Appellant : Mr.C.Rajasekaran

For Respondent : Mr.C.S.S.Pillai

JUDGMENT

This Criminal Appeal has been filed to set aside the order of acquittal passed by the Special Judicial Magistrate for Land Grabbing at Salem in S.T.C.No.5 of 2018 dated 24.11.2020.



Crl.A.No.19 of 2021

2. Learned counsel for the appellant submits that this Court, without going into the merits of the case may grant liberty to the appellant to approach the Civil Court for recovery of money by producing the pro note if any and impugned cheques and further prayed that the period during the pendency of S.T.C.No.5 of 2018 before the Court below and the criminal appeal before this Court may be excluded for the purpose of limitation.

3. Learned counsel appearing for the respondents has no serious objection for the limited relief sought for by the learned counsel for the appellant.

4. In view of the above, this Criminal appeal is dismissed with the above liberty. The period during the pendency of C.C.No.415 of 2018 before the lower court and criminal appeal before this Court for the purpose of limitation, would be available if the appellant is otherwise entitled to in accordance with law.

16.04.2024

skt

2/3



WEB COPY



Crl.A.No.19 of 2021

M.DHANDAPANI, J.

skt

To

1. The Special Judicial Magistrate for Land Grabbing,
Salem.
2. The Public Prosecutor,
High Court of Madras.

Crl.A.No.19 of 2021

16.04.2024

3/3