



Crl.A.No.150 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.150 of 2021

R.Sivakumar

...Appellant

Vs.

1. Sakthi Agencies,
No.7, Krishna Nagar
Upplipalayam Road,
Souripalayam,
Coimbatore – 641 028.

2. A.Palanisamy

...Respondents

Criminal Appeal filed under Section 378(4) of Criminal Procedure Code to set aside the judgment of acquittal passed by the Learned Judicial Magistrate Fast Track Court No.1 @ Magistrate Level, Coimbatore made in C.C.No.415 of 2018 by a judgment dated 01.07.2020.

For Appellant : Mr.M.R.Thangavel

For Respondents : M/s.Kingsly Solomon.J



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JUDGMENT

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This Criminal Appeal has been filed to set aside the order of acquittal passed by the Judicial Magistrate Fast Track Court No.1 @ Magistrate Level, Coimbatore in C.C.No.415 of 2018 dated 01.07.2020.

2. Learned counsel for the appellant submitted 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 C.C.No.415 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.



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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

To

1. The Judicial Magistrate Fast Track Court No.1 @ Magistrate Level, Coimbatore
2. The Public Prosecutor, High Court of Madras.

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M.DHANDAPANI, J.

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