



WEB COPY



Crl.O.P.No.2556 of 2024
in Crl.A.No.600 of 2023

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Crl.A.No.600 of 2023

M. NIRMAL KUMAR, J.

This petition has been filed to grant leave to the petitioner to file an appeal against the acquittal of the respondent.

2.The petitioner as complainant had filed a private complaint under Section 138 of the Negotiable Instruments Act in C.C.No.1482 of 2017. The Trial Court by judgment dated 04.01.2019 dismissed the complaint and acquitted the respondent, against which, the present appeal has been filed.

3.Mr.N.Selva Rajan, learned counsel for the respondent/accused is present.

4.The contention of the learned counsel for petitioner is that the respondent admits receipt of statutory notice and failure to send reply. Further, he had not denied the signature in the cheques and takes a stand that the petitioner is not the owner of the firm and he also failed to give any



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reason as to how the cheques for Rs.9,00,000/- had been handed over to the petitioner. Further, he had not examined any defence witnesses or marked any defence exhibits to probabalise his defence.

5.Finding reason and force in the petitioner's submission, this Court is inclined to grant leave. Accordingly, leave is granted.

09.02.2024

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