



Crl.O.P.No.20995 of 2024
in Crl.A.SR.No.10286 of 2024

SUNDER MOHAN, J.

This petition is filed to grant leave permitting the petitioner/appellant to prefer Criminal Appeal against the dismissal order passed in STC No.1563 of 2017 on the file of the learned Judicial Magistrate No.II, Pollachi dated 11.01.2024.

2. The learned counsel for the petitioner would submit that the trial Court had acquitted the respondent on the sole ground that the petitioner had not established his source of income for lending a sum of Rs.5,00,000/- to the respondent; that the respondent had admitted the signature in the cheque and had not rebutted the statutory presumption under Sections 118 and 139 of the Negotiable Instruments Act; that the petitioner had established that he had sufficient source and proved that he was running a Saloon Shop, which has been admitted by the respondent in the reply notice and hence, prayed for setting aside the judgment of acquittal.

3. This Court finds force in the submission made by the learned counsel for the petitioner and since, the same requires consideration by this Court, leave is granted to file an appeal.

4. The Registry is directed to number the appeal and post for admission, if it is otherwise in order.

15.11.2024

ars



WEB COPY

CrI.O.P.No.20995 of 2
in CrI.A.SR.No.10286 of 2





WEB COPY

Crl.O.P.No.20995 of 2
in Crl.A.SR.No.10286 of 2



SUNDER MOHAN, J.

ars

Crl.O.P.No.20995 of 2024
in Crl.A.SR.No.10286 of 2024

15.11.2024