



Crl.A.Nos.16, 18 & 20 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2024

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.A.Nos.16, 18 & 20 of 2021

P.Devaraj ...Appellant in Crl.A.No.16 of 2021

V.Vinoth Kumar ...Appellant in Crl.A.No.18 of 2021

D.Krishnaveni ...Appellant in Crl.A.No.16 of 2021

Vs.

G.Sivagnanam ...Respondent in all Crl.A's.

Prayer in Crl.A.No.16 of 2021: Criminal Appeal filed under Section 374 of Criminal Procedure Code to set aside the order of acquittal in C.C.No.112 of 2016 dated 27.01.2020 on the file of the Judicial Magistrate, Fast Track Court No-I @ ML, Coimbatore (Old CC.No.384 of 2015 on the file of Judicial Magistrate No.I, Coimbatore).

Prayer in Crl.A.No.18 of 2021: Criminal Appeal filed under Section 378 of Criminal Procedure Code to set aside the order of acquittal in C.C.No.111 of 2016 dated 27.01.2020 on the file of the Judicial Magistrate, Fast Track Court No-I @ ML, Coimbatore (Old CC.No.383 of 2015 on the file of Judicial Magistrate No.I, Coimbatore).

Prayer in Crl.A.No.20 of 2021: Criminal Appeal filed under Section 374 of Criminal Procedure Code to set aside the order of acquittal in C.C.No.110 of 2016 dated 27.01.2020 on the file of the Judicial Magistrate, Fast Track Court No-I @ ML, Coimbatore (Old CC.No.382 of 2015 on the file of Judicial Magistrate No.I, Coimbatore).



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In all Crl.A's.:

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For Appellants : Mr.C.Veera Raghavan

For Respondent : No Appearance

COMMON JUDGMENT

Since the issues involved in all these Criminal appeals are similar in nature, they are disposed of by way of this common judgment.

2. These Criminal Appeals have been filed to set aside the orders of acquittal passed by the Judicial Magistrate, Fast Track Court No-I @ ML, Coimbatore in C.C.Nos.110 to 112 of 2016 all dated 27.01.2020.

3. Learned counsel for the appellants submits that this Court, without going into the merits of the case may grant liberty to the appellants 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 the respective S.T.C.Nos.110 to 112 of 2016 before the Court below and the criminal appeals before this Court may be excluded for the purpose of limitation.



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

5. In view of the above, these Criminal appeals are dismissed with the above liberty. The period during the pendency of S.T.C.Nos.110 to 112 of 2016 before the lower court and criminal appeals before this Court for the purpose of limitation, would be available if the appellants are otherwise entitled to in accordance with law.

16.04.2024

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To

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

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M.DHANDAPANI, J.

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