



Crl.O.P.No.23553 of 2024
in Crl.A.Sr.No.48916 of 2024

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SUNDER MOHAN, J.

Aggrieved by the acquittal of the respondent for the offences punishable under Section 138 of Negotiable Instruments Act, the petitioner/complainant has filed the present petition seeking leave to file an appeal.

2. The learned counsel for the petitioner would submit that though the trial Court had rightly convicted the respondent, the appellate Court on an erroneous appreciation of Section 25(3) of the Contract Act, 1872 had held that the cheques in question were issued for a time barred debt and submitted that Ex.P7 would show that the respondent has made a written promise to pay the amount under the cheques, on account of the debt.

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

06.11.2024

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