



WEB COPY



Crl.O.P.No.30381 of 2024
in Crl.A.SR.No.44496 of 2024

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SUNDER MOHAN, J.

Aggrieved by the acquittal of the respondent for the offence punishable under Section 138 of Negotiable Instruments Act, 1881, the petitioner/complainant has filed the present petition seeking leave to file an appeal.

2.The learned counsel for the petitioner would submit that the respondent has not disputed the cheque; that the only ground for acquittal is that the respondent had stated that he had loan transaction with one Elumalaiyan and the petitioner is a Staff working under the said Elumalaiyan and had misused the cheque and therefore, there is no legally enforceable debt. He would further submit that the petitioner had established that the cheque was issued for a legally enforceable debt before the Trial Court.



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cse

3.This Court finds force in the submission made by the learned counsel for the petitioner and since, the question as to whether the cheque was issued for legally enforceable debt 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.

12.12.2024

cse

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