



WEB COPY



Crl.O.P.No.32150 of 2024
in
Crl.A.Sr.No.66154 of 2024

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Sunder Mohan, J.,

The petitioner is the complainant in S.T.C.No.1062 of 2021, on the file of Metropolitan Magistrate, XVI Small Cause Court, Chennai. The petitioner/complainant filed the said complaint under Section 138 of Negotiable Instruments Act, 1881 (N.I.Act) against the respondent herein. The Trial Court acquitted the respondent. Aggrieved by the same, this Petition is filed, seeking leave of this Court to file Appeal.

2. The learned counsel for the petitioner would submit that the respondent had not disputed the signature in the cheque and that the respondent had not rebutted the statutory presumption, however, the trial Court had erroneously held that the cheque was not issued for a legally enforceable debt.



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3. The question as to whether the cheque was issued for a legally enforceable debt, has to be considered in the appeal and hence, leave is granted.

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

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21.12.2024

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