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CRL A No. 817 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Criminal Appeal No. 817 of 2011

N.P.Srinivasan

... Appellant

Vs

K.Murthy

... Respondent

PRAYER

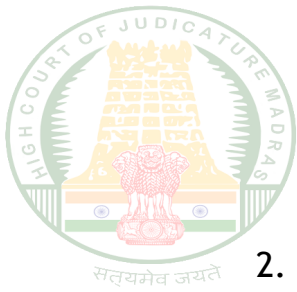
Criminal Appeal under Section 378(4) of the Criminal Procedure Code against the judgment dated 18.10.2011 in C.C.No.398 of 2007 on the file of the Judicial Magistrate No.IV, Vellore.

For Appellant(s): Mr.P.Chandrasekar

For Respondent(s): Mr.E.Kannadasan
Mr.D.Dayalan

ORDER

Today when the matter is taken up for hearing Mr.P.Chandrasekar, learned counsel for the appellant reported no instructions. He also placed a memo to that effect, wherein it is stated that, even after sending a registered letter, there is no response from the appellant. The same is recorded.



CRL A No. 817 of 2011

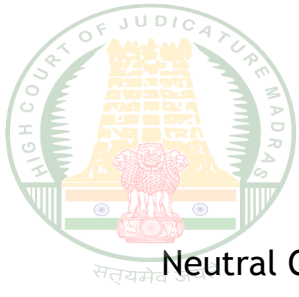
2. The appeal is filed against the judgment of the learned Judicial Magistrate No.IV, Vellore dated 18.10.2011 made in C.C.No.398 of 2007. By the said judgment, the respondent/accused is acquitted for an offence under Section 138 of the Negotiable Instruments Act.

3. On a perusal of the order and upon hearing the learned counsel for the respondent, it can be seen that the trial Court considered that there is a material alteration with reference to the date of the cheque and found that the material alteration was made to make the cheque valid, while the validity of the cheque expired within a period of six months and therefore, on that basis had acquitted the respondent / accused among other grounds.

4. When the Trial Court after due appreciation of facts has come to the conclusion that there is material alteration with reference to the date of the cheque, which has already become invalid and on that score, has acquitted the respondent, there is nothing for this Court to overturn such a finding of acquittal. Accordingly, finding no merits, this appeal stands dismissed.

19-06-2025

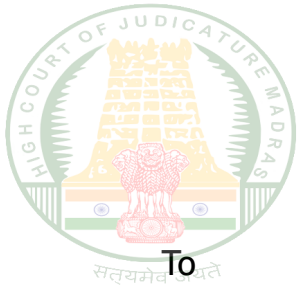
KST



CRL A No. 817 of 2011

Neutral Citation: Yes/No

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To

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1. The Judicial Magistrate No.IV
Vellore.

2. The Public Prosecutor
High Court, Madras.



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CRL A No. 817 of 2011

D.BHARATHA CHAKRAVARTHY J.

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CRL A No. 817 of 2011

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