



WEB COPY



CRL OP NO. 24994 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**CRL OP NO. 24994 of 2024**

**AND**

**CRL A SR NO. 50692 OF 2024**

V.K.Murugaiyan

S/o.Karrupan, No.14, Sulai Muthusamy Street,  
Vengampur Village, Kodumudi Taluk, Erode  
District.

Petitioner(s)

Vs

A.Anshar Basha

S/o.Anvar Basha, D.No.222, Thilagar Veethi,  
Near Vijaya Theatre, Nadar Medu,  
Kasipalayam, Erode - 638 002.

Respondent(s)

**CRL A SR NO. 50692 of 2024**

V.K.Murugaiyan

Appellant(s)

Vs

A.Anshar Basha

Respondent(s)

**CRL OP NO. 24994 of 2024**

**For Petitioner(s):**

Mr.R.Prabakar

**For Respondent(s):**

Mr.J.Ranjithkumar

**CRL A SR NO. 50692 of 2024**



CRL OP NO. 24994 of 2024

**For Appellant(s):**

**For Respondent(s):**

### **ORDER**

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 respondent had not denied the issuance of cheque, the trial Court had erroneously held that the petitioner did not produce any supporting documents to establish that he had lent a sum of Rs.8 Lakhs and that since the respondent had not rebutted the statutory presumption, the judgment of the trial Court is liable to set aside.

3. The points raised by the petitioner require consideration by this Court and hence, 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.

**29-01-2025**



CRL OP NO. 24994 of 2024

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To

1. A.Anshar Basha

S/o.Anvar Basha, D.No.222, Thilagar Veethi, Near Vijaya Theatre,  
Nadar Medu, Kasipalayam, Erode -638 002.