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CRL OP NO.1093 of 2025
in CRL A SR NO.66893 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 1093 of 2025

in

CRL A SR NO. 66893 OF 2024

M/s. Sree Gokulam Chit And Finance Co (p)
Limited
Rep By Its Vice Chairman V.C.Praveen, Having
Corporate Office At No.66, Arcot Road,
Kodambakkam, Chennai. Having Branch Office
At Gudalur Branch T.P.A.Building Ooty Mysore
Road, Gudalur Bazaar Post, Gudalur Taluk, The
Nilgiris.

Petitioner(s)

Vs

Krishna.K.C
S/o. Chinnakaruppiah, Sakthi Jewellery,
Panchayath Complex Old Bus Stand, Near
Signal, Gudalur Bazaar Post, Gudalur Taluk The
Nilgiris.

Respondent(s)

For Petitioner(s):

Mr.L.Rajasekar



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ORDER

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

2.The learned counsel for petitioner would submit that though the respondent had not disputed the signature in the cheque and had not rebutted the statutory presumption, the trial Court had erroneously held that the initial burden lies on the complainant to establish that the accused was liable to pay the cheque amount.

3.The question as to whether the cheque was issued for the legally enforceable debt requires consideration by this Court. Hence, leave is granted to file an appeal.



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order.

4.The Registry is directed to number the appeal, if it is otherwise in

21-01-2025

rsi

To

1.Krishna.K.C
S/o. Chinnakaruppiah,
Sakthi Jewellery,
Panchayath Complex
Old Bus Stand,
Near Signal,
Gudalur Bazaar Post,
Gudalur Taluk
The Nilgiris.



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SUNDER MOHAN., J.

rsi

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