



CrI.O.P.No.32202 of 2024 in
CrI.A.Sr.No.66731 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-01-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 32202 of 2024

in

CrI.A.Sr.No.66731 of 2024

R.Sucharitha

Proprietrix, M/s. Sri. Vari Enterprises,

Rep.By Her Power Of Agent,

Mr.J.Ravichandran, S/o.A.B.Jayarama Reddy,

No.50/3, Lakshmi Talkies Road, Shenoy Nagar,

Chennai - 600 030.

Petitioner/Appellant(s)

Vs

KALAISELVAN

Proprietor,

M/s.Adhavan Foods,

No.63/4, Pillayar Koil Street,

Veeraraghavapuram,

Kaduvetti,

Chennai - 600 077.

Respondent/Respondent(s)



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Prayer : Criminal Original Petition filed under Section 419(5) of the BNSS to grant leave to file appeal against the Judgement and acquittal made in C.A.No.586 of 2023 dated 28.11.2024 made by learned XXI Additional City Civil Court, Alikulam Chennai and confirm the conviction made in C.C.No.5106 of 2020 dated 13.09.2023 by the learned Metropolitan Magistrate, Fast Track No.II, Egmore @ Alikulam, Chennai.

For Petitioner(s):

M.Vimal Bobby Crimson

For Respondent(s):

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. Mr.M.Vimal Bobby Crimson, the learned counsel for the petitioner, would submit that the Appellate Court had reversed the well-considered



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Judgment of the trial Court convicting the respondent; that the Appellate Court had held that the respondent had not issued the cheque for the legally enforceable debt; and that the petitioner has established that the cheque was issued for a legally enforceable debt and prayed for the grant of leave.

3. The issues raised in the above appeal require consideration by this Court. Hence, leave is granted to file an appeal.

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

02-01-2025

dk

To
KALAISELVAN
Proprietor,
M/s.Adhavan Foods,
No.63/4, Pillayar Koil Street, Veeraraghavapuram,
Kaduvetti, Chennai - 600 077.



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SUNDER MOHAN., J.

dk

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