



WEB COPY

CRL OP NO. 823 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 823 of 2025

in Crl.A.SR.No.65725 of 2024

R.Vijayalakshmi Petitioner(s)

Vs

NITHIYANANDAM

Son Of Subramani, Residing At No.283, 13th Street, Korattur,
Chennai - 600 080. Proprietor Of Sk Engineering Having Office
At No.9/38d, Pattaravakkam, Road, Varadarajapuram, Ambattur,
Chennai - 600 053.

Respondent(s)

For Petitioner(s):

M/s.S.Thamizharasi

For Respondent(s):

ORDER

The learned counsel submitted that though the respondent had issued the cheque towards discharge of a legally enforceable debt, the trial Court had erroneously found that the respondent had rebutted the statutory presumption by producing the accounts which reflects the payment of money to the petitioner; that those payments were towards the interest and not the principal; and that the petitioner had established that the cheque was for a legally enforceable debt.

2.The points raised by the petitioner requires consideration. Hence, leave granted to file the above appeal.

3. Registry is directed to number the above appeal and post it for admission if the papers are otherwise in order.

20-01-2025