



Crl.O.P.No.32327 of 2024 in
Crl.A.Sr.No.65968 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-01-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.32327 of 2024

in

Crl.A.Sr.No.65968 of 2024

MALLIGA
W/o Anbu,
No.13, Rettembedu Road (Near Fire Office),
Gummidipoondi,
Tiruvallur District.

Petitioner(s)

Vs

SASIVARANAM
W/o. Dr Sundharsan,
No.89, Rahamath Nagar,
S.R. Kandigai Post,
Chinthalakuppam,
Gummidipoondi,
Thiruvallur District.

Respondent(s)

Prayer : Criminal Original Petition filed under Section 419 (4) of the Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant special leave to the complainant to file
the above appeal as against the order of the acquittal dated 04.11.2024 made in
S.T.C.No.89 of 2019, on the file of the District Munsif Cum Judicial Magistrate



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Court at Gummidipoondi.

For Petitioner(s):

R.Munuswamy

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.R.Munuswamy, the learned counsel for the petitioner, would submit that the accused/respondent is the proprietary concern by the name "V.S Traders"; and that the learned Magistrate had erroneously concluded that the said "V.S Traders" is a company and since no statutory notice was sent to the said company and it was not arrayed as an accused, the complaint is not maintainable.

3. The issue raised by the petitioner requires consideration by this



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Court. Hence, leave is granted to file an appeal.

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

02-01-2025

dk

To
SASIVARANAM
W/o Dr Sundharsan,
No.89, Rahamath Nagar, S.R. Kandigai Post,
Chinthalakuppam,
Gummidipoondi,
Thiruvallur District.

SUNDER MOHAN., J.



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