

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2017

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.A.325 of 2014

Manoharan

... Appellant/Complainant

Vs.

S.Jeevanandham

... Respondent/Accused

Criminal Appeal filed under Section 378 of the Code of Criminal Procedure against the acquittal by judgment dated 20.02.2014 made in C.C.No.313 of 2011, on the file of the Judicial Magistrate/Fast Track Court at Magisterial Level II, Coimbatore and to set aside the same.

For Appellant : Mr.P.Saravana Sowmiyan

For Respondent : Mr.P.Saravanan

JUDGMENT

For the sake of convenience, the appellant and the respondent are referred to as complainant and accused.

2. The complainant initiated a prosecution in C.C.No.313 of 2011 before the Judicial Magistrate/Fast Track Court at Magisterial Level II, Coimbatore for an offence under Section 138 of the Negotiable Instruments Act, in which, the accused was acquitted by judgment dated 20.02.2014, aggrieved by which, the complainant is before this Court.

3. In view of the judgment of the Full Bench of this Court in S.Ganapathy v. N.Senthilvel [(2016) 3 MLJ (Cr1.) 641 (FB)], this Court has no jurisdiction to entertain the appeal and therefore, the Registry is directed to transmit all the papers to the learned Principal District and Sessions Judge, Coimbatore, within a period of four weeks from the date of receipt of a copy of this order, after retaining the photocopies of the papers on file.

4. The complainant and the accused are directed to appear before the learned Principal District and Sessions Judge, Coimbatore, on 20.11.2017 at 10.30 a.m.

With the above direction, this criminal appeal is disposed of.

Sd/-

Assistant Registrar [CCC]

/TRUE COPY/

Sub-Assistant Registrar

gms

To

- 1.The Judicial Magistrate/
Fast Track Court at Magisterial Level II,
Coimbatore
- 2.The Principal District and Sessions Judge,
Coimbatore.
- 3.The Section Officer,
Criminal Section,
High Court, Madras

+1 CC to MR.P.Saravanan Advocate SR.NO. 73031

+1 CC to MR.P.Saravanasowmiyan Advocate SR.NO.72820

Cr1.A.No.325 of 2014

MSM (CO)
TA-28/10/2017



सत्यमेव जयते

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