

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 01.11.2017
CORAM:
THE HON'BLE MR.JUSTICE P.N.PRAKASH
Crl.A.585 of 2014

T.G.Shivarajan

..Appellant

Vs.

E.Mathivanan

..Respondent

Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to call for the records in C.C.No.85 of 2011 and set aside the judgment of acquittal passed by the Judicial Magistrate-II, Walajapet on 09.05.2014.

For Appellant : Mr.C.Pandarasamy-NA

For Respondent : Mr.G.Mohanakrishnan

J U D G M E N T

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.85 of 2011 under Section 138 of Negotiable Instruments Act, against the accused, in which, the accused was acquitted by the Judicial Magistrate No.II, Walajapet, Vellore District on 09.05.2014, aggrieved by which, the complainant has filed the present appeal against acquittal.

3. On receipt of notice the respondent/accused has entered appearance.

3. In view of the judgment of the Full Bench of this Court in S.Ganapathy v. N.Senthilvel [(2016) 3 MLJ (Crl.) 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, Vellore, 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, Vellore District, on 04.12.2017 at 10.30 a.m. and the learned Principal District and Sessions Judge, Vellore, is directed to expeditiously complete the appeal.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.II,
Walajapet, Vellore District.

2.The Principal District and Sessions Judge,
Vellore.

3.The Section Officer
Criminal Section
High Court Madras

4.T.G.Shivarajan
S/o.T.Gurusamay
No.10 othavadai street,V Cross
Muthukadai Ranipet, Vellore District

5.E.Mathivanan
S/o.Elangovan
Plot No.6 Door No.2
Kamalam Nagar Jaya Nagar,
Reddiyarpalayam
Puducherry

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