

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.12.2017

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Criminal Appeal No.561 of 2015

P. Damodharan

.... Appellant

Vs

V. Yuvaraj

.... Respondent

Appeal filed under Section 378 of Criminal Procedure Code to call for the records in C.C.No.331 of 2012 by an order dated 10.07.2015 on the file of the Judicial Magistrate, Fast Track Court-I @ Magisterial level, Coimbatore, and set aside the same and allow the appeal filed by the appellant and also restore the complaint filed by the appellant in C.C.No.331 of 2012 and allow the C.C.No.331 of 2012.

For Appellant : Mr.S. Venkatesh

JUDGMENT

For the convenient sake, the parties may be referred to as the complainant and the accused.

2. The present appeal has been filed challenging the order of acquittal of the accused passed by the learned Judicial Magistrate, Fast Track Court-I @ Magisterial level, Coimbatore in C.C.No.331/2012 dated

P.N. PRAKASH,J.,

sr

10.07.2015 for the offence punishable under Sec.138 of Negotiable Instruments Act.

3. Heard the learned counsel for the complainant.

4. In view of the judgment of Full Bench of this Court in the case of **S. Ganapathy vs N. Senthilvel** reported in **(2016) 3 MLJ (CrI) 641 (FB)**, Registry is directed to send the records to the Court of Principal District and Sessions Judge, Coimbatore, after taking photocopy of the file, within a period of four weeks from the date of receipt of a copy of this Order.

5. The complainant and the accused are directed to appear before the learned Principal District and Sessions Judge, Coimbatore on 29.01.2018 at 10.30 a.m.

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

15-12-2017

sr

Speaking/Non-Speaking Order

Index:yes/no

To

1. The Principal District and Sessions Judge, Coimbatore

2. Judicial Magistrate, Fast Track Court-I @ Magisterial level, Coimbatore,