



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2017

CORAM:

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

Crl.A.No.511 of 2016

WEB COPY

Tr.Jayakumar

.. Appellant

Vs.

Ravi

.. Respondent

Criminal Appeal filed under Section 378 (4) of the Code of Criminal Procedure to set aside the judgment of acquittal passed in Calendar Case No.128 of 2015 dated 31.08.2015 on the file of the Judicial Magistrate No.I, Namakkal. and convict the respondent/accused under section 138 of the Negotiable Instruments Act.

For Appellant : Mr.S.Kalyanaraman

O R D E R

For the sake of convenience, the parties will be referred to as complainant and accused.

2.The complainant initiated a prosecution in C.C.No.128 of 2015 under Section 138 of the Negotiable Instruments Act against the accused in which the learned Judicial Magistrate No.I, Namakkal acquitted the accused on 31.08.2015, challenging which the complainant has filed the present appeal against the acquittal with special leave petition.

3.This Court in Crl.O.P.No.2933 of 2016 in Crl.A.SR.No.50238 of 2015 has granted special leave to appeal. Notice has not been served on the accused. However, in the light of a Full Bench judgment of this Court in S. Ganapathy vs N. Senthilvel [(2016) 3 MLJ (Crl) 641 (FB)], the Registry is directed to send the records relating to this case to the Court of the Principal District and Sessions Judge, Namakkal after taking a photocopy of the records, within a period of four weeks from the date of receipt of a copy of this order.

4.The complainant is directed to appear before the learned Principal District and Sessions Judge, Namakkal on 29.01.2018 at 10.30 a.m.



5. With the above directions, the Criminal Appeal is disposed of.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Principal District and Sessions Court
Namakkal.
2. The Judicial Magistrate No.I, Namakkal.
3. The Section Officer,
Criminal Section,
High Court, Madras.

+1cc to Mr.S.Kalyanaraman, Advocate Sr.No.91327

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GMR(CO)
sm:9.1.2018