

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2017

CORAM:

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

Criminal Appeal No.257 of 2015

M.Ganesan ..Appellant/Complainant

Vs.

N.Raveendran ...Respondent/Accused

Criminal Appeal filed under Section 378(4) of the Code of Criminal Procedure Code to set aside the judgment dated 26.03.2014 passed in S.T.C.No.5 of 2013 on the file of the Judicial Magistrate (Fast Track) Omalur, Salem District.

For Appellant : Mr.S.Jayakumar

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 S.T.C.No.5 of 2013 under Section 138 of Negotiable Instruments Act, against the accused, in which, the accused was acquitted by the Judicial Magistrate (Fast Track) Omalur, Salem District on 26.03.2014, aggrieved by which, the complainant has filed the present appeal against acquittal.

3. This Court has granted special leave in CrI.O.P.No.10007 of 2015 in CrI.A.No.SR9070 of 2015 on 22.04.2015.

4. Heard the learned counsel for the complainant.

5. In view of the judgment of the Full Bench of this Court in S.Ganapathy v. N.Senthilvel [(2016) 3 MLJ (CrI.) 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 Judge, Salem district, 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.

6. The complainant and the accused are directed to appear before the learned Principal District Judge, Salem district, on 08.01.2018 at 10.30 a.m. and the learned Principal District Judge, Salem district, is directed to expeditiously complete the appeal.

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

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

mm/kmi
To

1. The Judicial Magistrate,
(Fast Track)
Omalur,
Salem District
 2. The learned Principal District Judge,
Salem District.
 3. The Public prosecutor, High Court, Madras.
 4. The Section Officer, Criminal Section,
High Court, Madras.
- + 1 cc to Mr. S. Jayakumar, Advocate SR.84314

Crl.A.No.257 of 2015

NMI (CO)
EU(19/12/2017)

सत्यमेव जयते

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