

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.11.2017

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Criminal Appeal No.276 of 2015

S.Rajendhiran Appellant (Complainant)

Vs

1.Silver Star,
A Partnership firm,
Rep. by its Partners
S.Vimal and C.Jaivignesh,
10, Rathna Tower, Ediyaar Street,
Coimbatore - 641 001.

2.S.Vimal

3.C.Jaivignesh Respondents (Accuses)

Appeal filed under Section 378 of Criminal Procedure Code against the Order dated 11.11.2014 passed in S.T.C.No.4 of 2013 on the file of the learned Judicial Magistrate (Fast Track Court), Omalur.

For Appellant : Mr.S.Mohan

JUDGMENT

For the sake of convenience, the appellant and the respondents will be referred to as the complainant and the accused respectively.

2. The present appeal has been filed challenging the order of acquittal passed by the learned Judicial Magistrate (Fast Track Court), Omalur in S.T.C.No.4 of 2013 dated 11.11.2014 for the offence punishable under Section 138 of Negotiable Instruments Act.

3. Heard the learned counsel for the complainant.

4. On a perusal of the records, it is seen that notice has not been served on the accused.

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

6. The complainant is directed to appear before the learned Principal District and Sessions Judge, Salem on 05.01.2018 at 10.30 a.m.

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

Sd/-
Assistant Registrar (CS IX)

//True copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge, Salem.
2. The Judicial Magistrate (Fast Track Court), Omalur.

Copy To

The Section Officer,
Criminal Section, High Court,
Madras-104.

सत्यमेव जयते

Crl. Appeal No. 276 of 2015

SV (CO)
GN (12/12/2017)

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