

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.12.2017

CORAM

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

Crl.A.No. 17 of 2006

M/s. S.V.Nagar Benefit Fund Ltd.,
Rep.by Director B.Dhayanithi,
No.1, Sri Venkateswara Nagar,
Anakaputhur, Chennai – 600 070.

... Appellant

Vs.

U.Shahul Aameed

... Respondent

Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to set aside the order of acquittal of the respondent / accused dated 21.11.2005 in C.C.No.2702 of 2003, before the learned XV Metropolitan Magistrate, Chennai.

For Appellant : Mr.R.Selvakumar

For Respondent : No appearance

J U D G E 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 prosecution in C.C.No.2702 of 2003, before the learned XV Metropolitan Magistrate, Chennai, for the alleged offences punishable under Section 138 of Negotiable Act, against the accused, in which, the accused was acquitted by judgment dated 21.11.2005 aggrieved by which, the complainant is before this Court.

3. In view of the Judgment of a Full Bench of this Court in ***S.Ganapathy Vs. N.Senthilvel [(2016) 3 MLJ (Crl.) 641 (FB)]***, this Court has no jurisdiction to entertain this appeal and therefore, the Registry is directed to transmit all the papers relating to this appeal to the learned Principal Sessions Judge, Chennai, within a period of four weeks from the date of receipt of a copy of this order, after retaining the photocopies of the same on file.

4. The complainant and the accused are directed to appear before the learned Principal Sessions Judge, Chennai, on 25.01.2018 at 10.30 a.m.

5. Since, the complaint is of the year 2003, the learned Principal Sessions Judge, Chennai, is directed to dispose of the Criminal Appeal as early as possible.

6. With the above observation, the present Criminal Appeal stands disposed of.

06.12.2017

Speaking/Non speaking order
Index : Yes/No
Internet: Yes/No
ms

WEB COPY

R. HEMALATHA.J.,

ms

To

1. The XV Metropolitan Magistrate,
Chennai.
2. The Principal Sessions Judge,
Chennai.



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