

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.12.2017

CORAM

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

Crl.A.No.308 of 2006

State Rep.by
The Sub Registrar,
Paramathy,
Namakkal District.

... Appellant/Complainant

Vs.

1.N.Madhorubagan
2.Perumal
3.Kumarappa Gounder
4.P.Lakshmi
5.P.Rangasamy

... Respondents/Accused

Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to set aside the order of acquittal of the respondents / accused dated 10.10.2005 in C.C.No.21 of 2004, before the learned District Munsif-cum-Judicial Magistrate, Paramathi.

For Appellant : Mr. P.Muthukumar
Public Prosecutor

For Respondent : Mr.R.Karthikeyan

J U D G E M E N T

For the sake of convenience, the appellant and the respondents are referred to as complainant and accused.

2. The complainant initiated prosecution in C.C.No.21 of 2004 before the learned District Munsif-cum-Judicial Magistrate, Paramathi, for the alleged offences punishable under Sections 27 and 64 of the Registration Act, against the accused, in which, the accused 1 to 5 were acquitted by judgment dated 10.10.2005 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 District and Sessions Judge, Namakkal, 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 District and Sessions Judge, Namakkal, on 23.01.2018 at 10.30 a.m.

5. Since, the final report was filed in the year 2004, the learned Principal District and Sessions Judge, Namakkal, is directed to dispose of the Criminal Appeal as early as possible.

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

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The District Munsif-cum-Judicial Magistrate,
Paramathi.
2. The Principal District and Sessions Judge,
Namakkal.
3. The Public Prosecutor,
High Court,
Madras.
4. The Section officer
Criminal Section, High Court, Madras.

+1 Cc to Mr.R.Karthikeyan, Advocate sr 87039.

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