

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2017

CORAM :

THE HON'BLE MRS.JUSTICE R.HEMALATHA

Crl. A. No.98 of 2010

Umashankar

.. Appellant

/Vs/

Natarajan

.. Respondent

Criminal Appeal filed under Section 378 of the Code of Criminal Procedure, against the Judgment in C.C.No.333 of 2002 dated 26.02.2007, passed by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

For Appellant

:

Mr.K.Ravi Kumar

For Respondent

:

Mr.N.Baskaran

सत्यमेव जयते

JUDGMENT

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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.333 of 2002

before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai for

an offence under Section 138 of the Negotiable Instruments Act, 1881 against the accused, in which, the accused was acquitted by Judgment dated 26.02.2007 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 v. 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 23.01.2018 at 10.30 a.m.

5. A perusal of the records shows that though notice has been issued to the accused, the accused has not received the same. Therefore, the learned Principal Sessions Judge, Chennai is directed to issue notice to the accused, if he has not been served so far and does not turn up on 23.01.2018.

6. Since this case pertains to the year 2010, the learned Principal Sessions Judge, Chennai is directed to dispose of the matter as expeditiously as possible.

7. With the above directions, Crl.A.No.98 of 2010 is disposed of.

19.12.2017

Speaking/Non speaking order

Index : Yes/No

Internet : Yes/No

vv

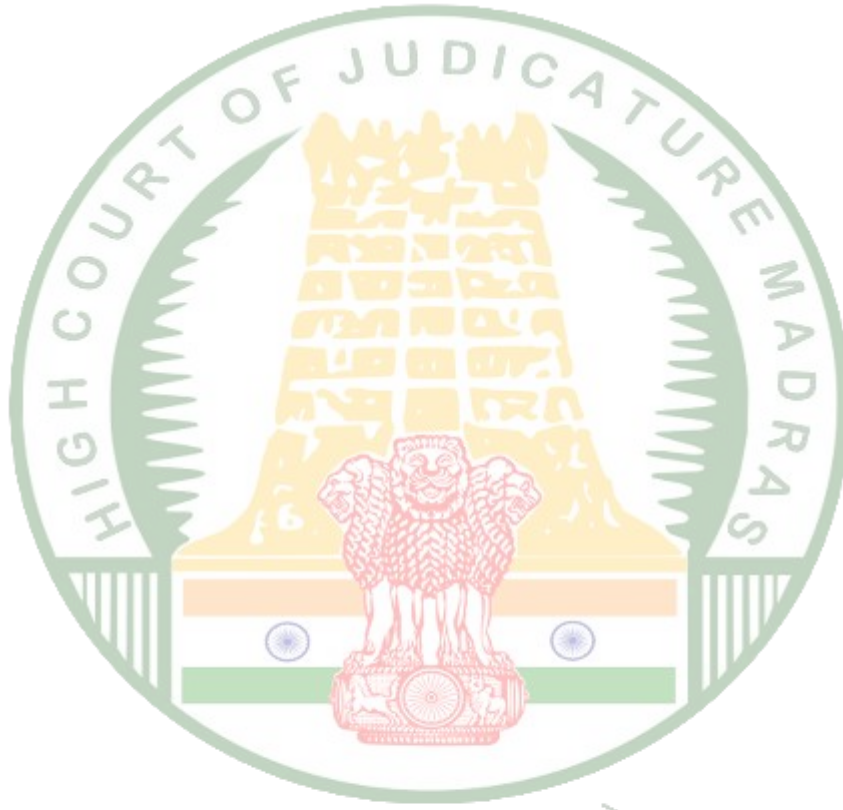
To

1. The XVIII Metropolitan Magistrate, Saidapet, Chennai .
2. The Principal Sessions Judge, Chennai.
3. The Public Prosecutor, Madras High Court, Chennai.

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R. HEMALATHA, J.

VV



सत्यमेव जयते CrI. A. No. 98 of 2010

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