

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2017

CORAM:

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

CrI.A.38 of 2016

P.S. Moorthy

..Appellant

Vs.

1. Shree Balaji Textiles,
Rep by its Managing Partner,
Mr. S. Subramaniam,
S/o. Saravanan.

2. S. Subramaniam.

3. S. Thamarai.

4. S. Ramesh Prabhu.

5. S. Kavitha

..Respondents

Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to set aside the order passed in C.C.No.89 of 2013 dated 27.03.2015 on the file of Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore.

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For Appellant

: Mr.R. Nalliyappan

For Respondents

: Mr. S. Ramachandran for R3 to R5

J U D G M E N T

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

2. This appeal has been filed by the complainant against the acquittal of the accused in C.C.No.89 of 2013 (Old C.C.No.719 of 2012) on 27.03.2015 by the Judicial Magistrate, Fast Track Court No.II, Coimbatore, for the offence u/s.138 of the Negotiable Instruments Act.

3. Heard the learned counsel for the complainant and the learned counsel for the accused.

4. In view of the judgment of the 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 to the Principal District and Sessions Judge, Coimbatore, within a period of four weeks from the date of receipt of a copy of this order, after retaining the photo copies of the papers on file.

5. The complainant and the accused shall appear before the Principal District and Sessions Judge, Coimbatore, on 6th November 2017.

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

04.10.2017

bri/gms

NOTE TO OFFICE: Issue by 05.10.2017

To

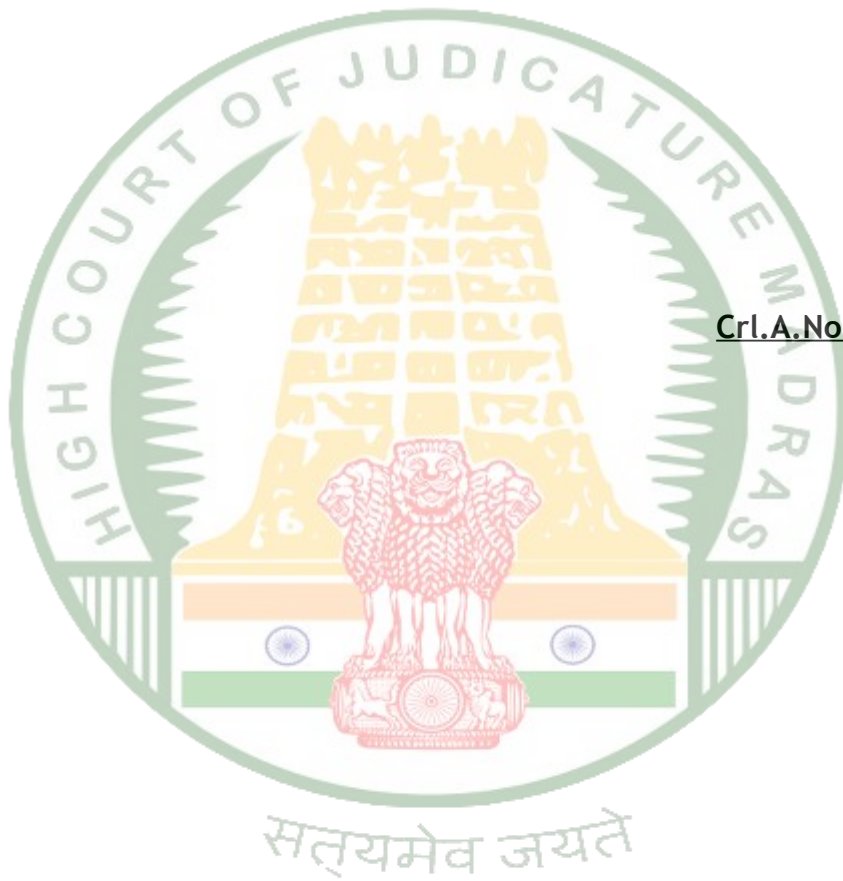
- 1.The Principal District and Sessions Judge,
Coimbatore.
- 2.The Judicial Magistrate, Fast Track Court No.II,
Coimbatore,



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P.N.PRAKASH, J.,

bri/gms



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