

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.11.2017

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.A.No.1 of 2013

V.Mangaiyarkarasi ... Appellant/Complainant

Vs

Suresh Chandra Chogmalji Bafna
Prop Madras Mercantile Agency,
No.22, Srotten Muthiah Mudali Street,
Chennai-79. ... Respondent/Accused

Prayer:- Criminal Appeal filed under Section 378(4) of the Code of Criminal Procedure to call for the records in C.C.No.8321 of 1995 on the file of the learned XVI Metropolitan Magistrate, George Town, Chennai and to set aside the order of acquittal in C.C.No.8321 of 1995 dated 25.10.2012 passed by the learned XVI Metropolitan Magistrate, George Town, Chennai.

For Appellant : Mr.R.C.Mahoharan

For Respondent : Mr.Ramesh Kumar Chopra.

JUDGMENT

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

2.The complainant has initiated a prosecution in C.C.No.8321 of 1995 against the accused for the offences under Sections 120B, 467 and 468 of IPC, in which, the learned XVI Metropolitan Magistrate, George Town, Chennai, had acquitted the accused on 25.10.2012. Hence, the complainant has filed the present appeal against the order of acquittal before this Court.

3.Heard the learned counsel appearing for the complainant and the learned counsel appearing 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 Judge, City Civil Court, Chennai, 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.

The complainant and the accused shall appear before the Principal Judge, City Civil Court, Chennai, on 22.12.2017 at 10.30 a.m.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mps
To

1.The Principal Judge,
City Civil Court,
Chennai.

2.The XVI Metropolitan Magistrate,
George Town,
Chennai.

3.The Chief Metropolitan Magistrate,
Chennai.

4.The Section Officer, Criminal Section,
High Court Madras.

(with a direction to transmit the papers to the
Principal Judge City Civil Court, Chennai)

Cr1.A.No.1 of 2013

RSI (CO)
sm:14.12.2017

सत्यमेव जयते

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