

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.11.2017

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CrI.O.P.No.14073 of 2014

in

CrI.A.No.SR.24061 of 2014

M/s.Sree Gokulam Chiuts &
Finance Company (P) Limited.
Represented by its GPA & Legal Clerk
T.Anand, S/o Thimmarayappah,
No.1064/8, Post Office Road,
Krishnagiri District. Petitioner/Complainant

Vs

D.Anand

.... Respondent/Accused

Prayer: Petition filed under Section 378 (4) of Criminal Procedure Code to grant special leave to the petitioner to file appeal against the judgment acquitting the respondent in S.T.C.No.71 of 2013 dated 28.03.2014 passed by the learned Judicial Magistrate, Fast Track Court, Hosur.

For Petitioner : Mr.L.Rajasekar

For Respondent : No Appearance

सत्यमेव जयते
O R D E R

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

2. The complainant initiated a prosecution in S.T.C.No.71 of 2013, against the accused for the offence under Section 138 of Negotiable Instrument Act, in which, the learned Judicial Magistrate, Fast Track Court, Hosur, has acquitted the accused by judgment on 28.03.2014. Challenging which, the complainant has preferred the present appeal against the order of acquittal.

3. Heard the learned counsel for the complainant.

notice has been served on the accused and his name is printed in the cause list. None appeared on his behalf.

5. In view of the judgment of a Full Bench of this Court in S. Ganapathy vs N. Senthilvel [(2016) 3 MLJ (Crl) 641 (FB)], the Registry is directed to send the records relating to this case to the Court of the Principal District and Sessions Judge, Krishnagiri, after taking a photocopy of the records, within a period of four weeks from the date of receipt of a copy of this order.

6. The complainant is directed to appear before the learned Principal District and Sessions Judge, Krishnagiri on 22.12.2017 at 10.30 a.m.

7. With the above directions, the Criminal Original Petition is disposed of. Consequently, Criminal Appeal SR No.24061 of 2014 is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Krishnagiri.
2. The Judicial Magistrate
Fast Track Court, Hosur.

3. The Section Officer,
' Criminal Section,
High Court, Madras.

(to transmit the records to District and sessions Judge,
Krishnnagiri)

+1cc to Mr.L.Rajasekar, Advocate SR.No.82315

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KGK(CO)
GN(07/12/2017)