

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **17.11.2017**

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.A.No.457 of 2016

M/s.DSM.Agencies Partnership Firm,
represented by V.Vijayakumar,
No.1, 15th cross street,
Shastri Nagar, Adayar, Chennai-20. ... Appellant

Vs

M/s.Peeyelcee Polysacks,
PLC.Lakshmanan,
Post Box.No.15,
113-S, Thiruvengadam Road,
Sankarankovil-627 756 ... Respondent

Prayer:- Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to set aside the Judgment dated 26.02.2016 in C.C.No.426 of 2012 on the file of the learned Metropolitan Magistrate, Fast Track Court No.III, Saidapet, Chennai.

For Appellant : Mr.V.Krishnamoorthy

For Respondent : Mr.P.Elango

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.426 of 2012 against the accused for the offences under Section 138 of the Negotiable Instruments Act, in which, the learned Metropolitan Magistrate, Fast Track Court No.III, Saidapet, Chennai, had acquitted the accused on 26.02.2016. 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.

17.11.2017

Speaking/Non-Speaking Order

Index :Yes/No

Internet :Yes/No

mps

To

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

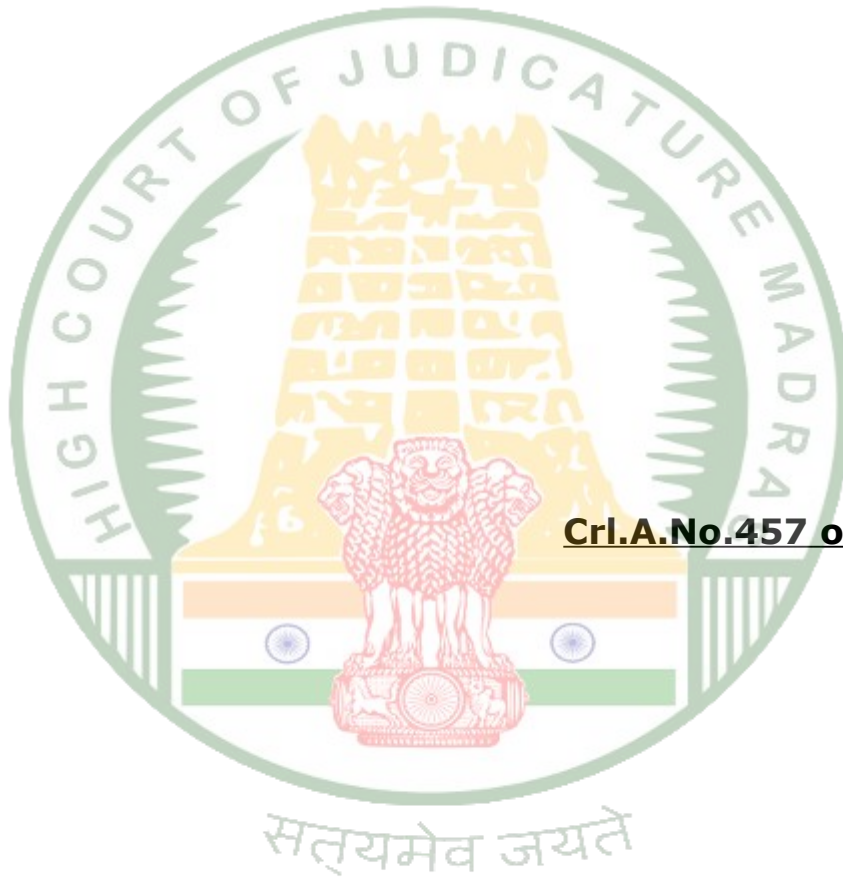
2.The Metropolitan Magistrate,
Fast Track Court No.III,
Saidapet,
Chennai.



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P.N.PRAKASH,J,

mps



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