

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2017

CORAM:

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

Crl.A.601 of 2016

and Crl.M.P.No.11700 of 2017

V.Kaleel Rahman ..Appellant/Complainant

Vs.

Mohamed Ali ..Respondent/Accused

Prayer:

Criminal Appeal filed under Section 374 (3) of the Code of Criminal Procedure against the judgment dated 09.03.2016 passed by the learned IV Metropolitan Magistrate Court, Fast Track, Chennai in C.C.No.516 of 2014 against the appellant by dismissing the complaint and acquitting the respondent from the charge of an offence under Section 138 of Negotiable Instruments Act.

For Appellant : Mr.P.G.Thiyagu

For Respondent : Mr.J.Ferozkhan

J U D G M E N T

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

2. The complainant initiated a prosecution in C.C.No.516 of 2014 before the IV Metropolitan Magistrate, George Town, Chennai for the offence under Section 138 of the Negotiable Instruments Act against the accused, in which, the accused was acquitted by judgment dated 09.03.2016, aggrieved by which, the complainant is before this Court.

3. In view of the judgment of the Full Bench of this Court in S.Ganapathy v. N.Senthilvel [(2016) 3 MLJ (Crl.) 641 (FB)], this Court has no jurisdiction to entertain the appeal and therefore, the Registry is directed to transmit all the papers to the learned Principal District and 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 papers on file.

4. The complainant and the accused are directed to appear before the learned Principal District and Sessions Judge, Chennai, on 20.11.2017 at 10.30 a.m.

With the above direction, this criminal appeal is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

gms

To

1. IV Metropolitan Magistrate Court, Fast Track, Chennai.
2. The Principal District and Sessions Judge, Chennai.

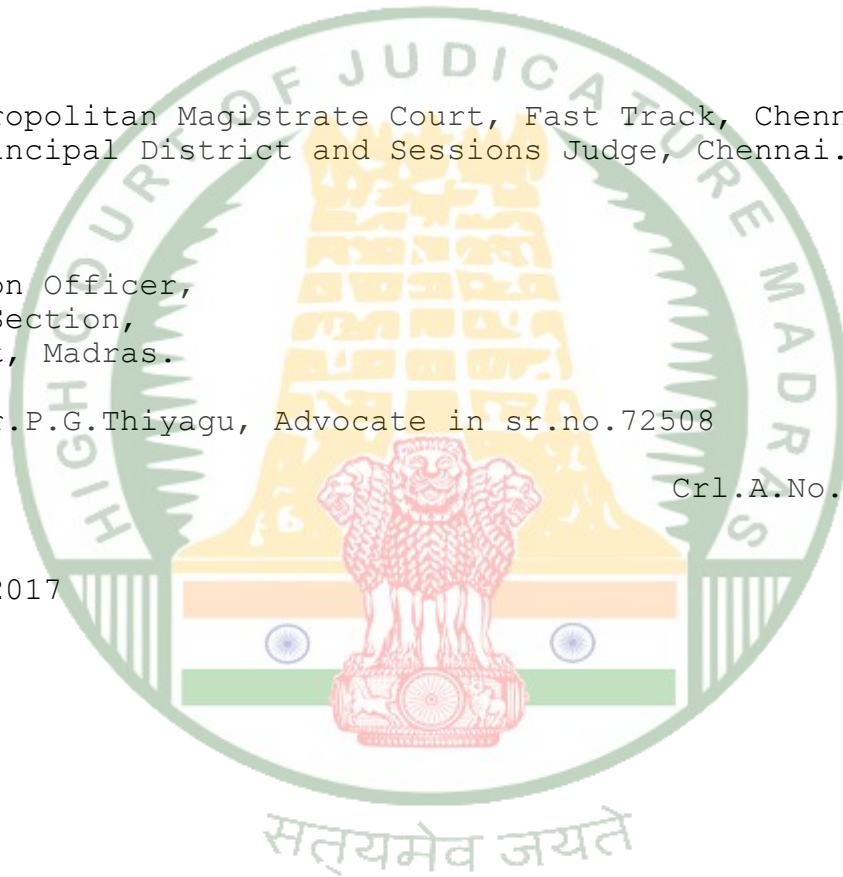
Copy to:

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

+2cc to Mr.P.G.Thiyagu, Advocate in sr.no.72508

Crl.A.No.601 of 2016

MR(CO)
NR 23/11/2017



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