

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2017

CORAM:

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

Crl.O.P.No.24601 of 2017

in

Crl.A.SR.No.25036 of 2017

M/s.Sree Gokulam Chits &

Finance Co. (P) Limited,

Rep. by its Power Agent,

Mr.Harikrishnan, S/o.Ramasamy,

307, 7th Street, Gokulam Towers,

Gandhipuram, Coimbatore 641 012.

..Petitioner

Vs.

Ganesamurthy

..Respondent

Criminal Original Petition filed under Section 378 (4) of the Code of Criminal Procedure to grant special leave to appeal against the judgment acquitting the respondent in C.C.No.118 of 2011 dated 08.02.2017 passed by the learned Judicial Magistrate, Fast Track Court No.1, Coimbatore.

For Petitioner: Mr.L.Rajasekar

O R D E R

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

2. The complainant initiated a prosecution in C.C.No.118 of 2011 under Section 138 of the Negotiable Instruments Act against the accused, in which, the learned Judicial Magistrate, Fast Track Court No.1, Coimbatore has acquitted the accused on 08.02.2017, challenging which, the complainant filed the present appeal against the acquittal with the delay of 63 days, which has been condoned by this Court in Crl.M.P.No.8328 of 2017 in Crl.A.SR.No.25036 of 2017 on 31.08.2017, after hearing the counsel for the accused.

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, Coimbatore, 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, Coimbatore, on 18.12.2017 at 10.30 a.m.

With the above direction, this criminal original petition is closed. Consequently, the connected CrI.A.SR.No.25036 of 2017 is closed.

s/d-
Assistant Registrar(CS VIII)

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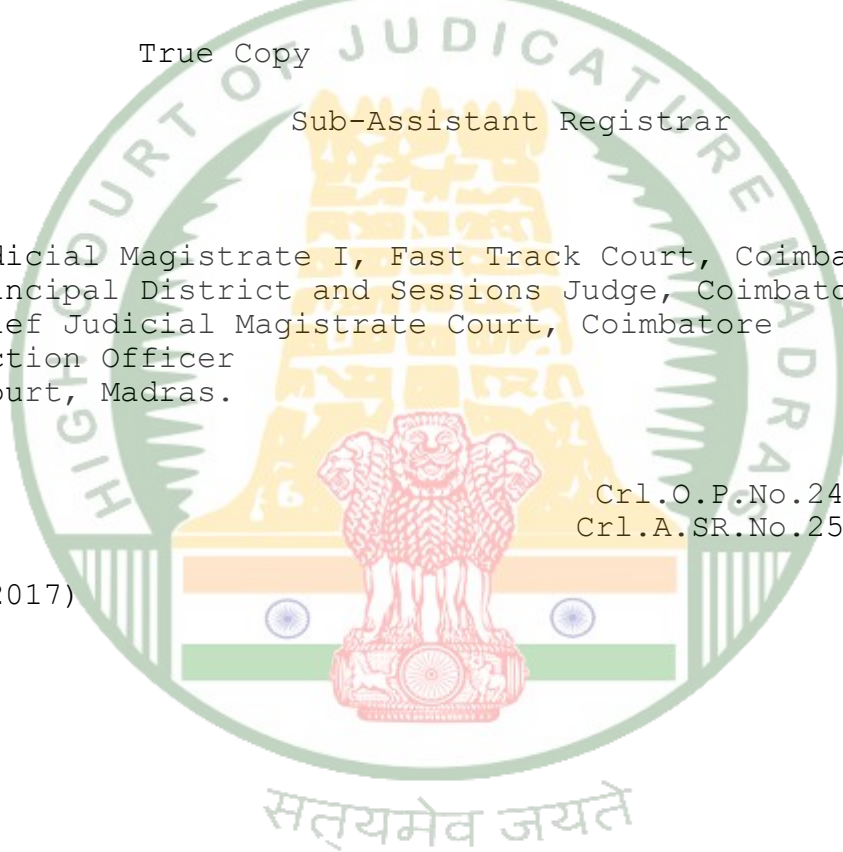
Sub-Assistant Registrar

vri/bri
To

1. The Judicial Magistrate I, Fast Track Court, Coimbatore.
2. The Principal District and Sessions Judge, Coimbatore.
3. The Chief Judicial Magistrate Court, Coimbatore
4. The Section Officer
High Court, Madras.

CrI.O.P.No.24601 of 2017
CrI.A.SR.No.25036 of 2017

SP(04/12/2017)



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