

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.11.2017

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.No.5694 of 2015

in Crl.A.No.SR.40508 of 2014

P.Chandran

.... Petitioner

Vs

1.Nagarajan

2.K.Settu

3.N.Ramesh

.... Respondents

Petition filed under Section 378 (4) of Criminal Procedure Code against the Judgment of the learned Judicial Magistrate No.III, Tirupathur made in C.C.No.75 of 2009 dated 27.05.2014.

For Petitioner : Mr.K.Govi Ganesan

O R D E R

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

2. The complainant initiated a prosecution in C.C.No.75 of 2009 against the accused for the offence under Sections 294 (B), 323, 324, 420, 417, 442 and 506(ii) IPC, in which, the learned Judicial Magistrate No.3, Tirupathur acquitted the accused by judgment dated 27.05.2014, aggrieved by which, the complainant has preferred the present appeal against the order of acquittal on 22.08.2014 with a delay of 89 days, which has been condoned by this Court in M.P.No.1 of 2014 in Crl.A.No.SR40508 of 2014.

3. Heard the learned counsel for the complainant.

4. On a perusal of the records, it is seen that Court notice has not been served on the accused.

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, Vellore, 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, Vellore on 11.12.2017 at 10.30 a.m.

With the above direction, the criminal original petition is disposed of. Consequently, Criminal Appeal SR No.40508 of 2014 is closed.

cla

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

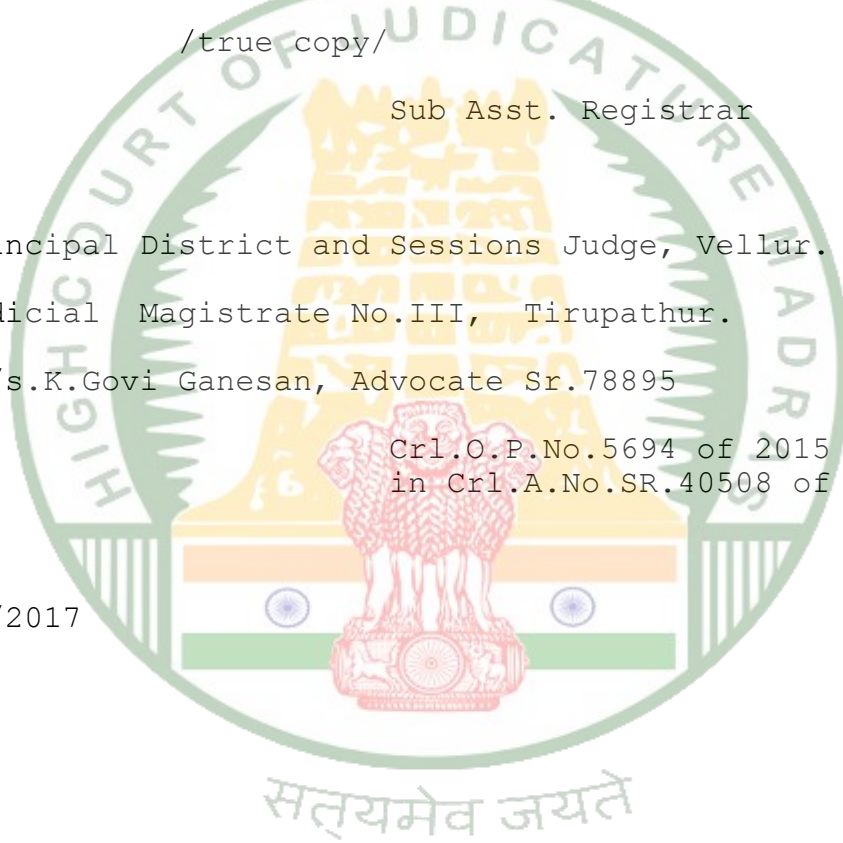
1. The Principal District and Sessions Judge, Vellur.

2. The Judicial Magistrate No.III, Tirupathur.

+1cc to M/s.K.Govi Ganesan, Advocate Sr.78895

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NRI (CO)
RVR 14/12/2017



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