

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2017

CORAM

THE HONOURABLE MR. JUSTICE **P.N. PRAKASH**

CrI.O.P.No.6969 of 2017
in CrI.A.No.SR.3734 of 2017

P.Somasundaram

.... Petitioner

Vs

A.Vasanthamani

.... Respondent

Petition filed under Section 378 (4) of Criminal Procedure Code against the Order of the Judicial Magistrate, No.I, Pollachi, Coimbatore District made in S.T.C.No.1964 of 2014 dated 22.12.2016.

For Petitioner : Mr.C.Veeraraghavan

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.1964 of 2014 against the accused for the offence under Section 138 of the Negotiable Instruments Act, in which, the learned Judicial Magistrate, No.I, Pollachi, Coimbatore District, acquitted the accused by the order dated 22.12.2016, aggrieved by which, the complainant has preferred the present appeal with the Special Leave Petition.

3. Heard the learned counsel for the complainant.

P.N. PRAKASH,J.,

cla

4. On a perusal of the records, it is seen that 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 (CrI) 641 (FB)]**, the Registry is directed to send the records relating to this case to the Court of the Principal District and Sessions Judge, Coimbatore 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, Coimbatore 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.3734 of 2017 is closed.

09-11-2017

Speaking/Non-Speaking Order
Index:yes/no

To

1. The Principal District and Sessions Judge, Coimbatore.
2. The Judicial Magistrate, No.I, Pollachi, Coimbatore District .

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