

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2017
CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.OP.No.4105/2016 in CRL.A.SR.No.7961/2016
& CRL.OP.No.4106/2016 & CRL.A.SR.No.7957/2016
& CRL.OP.No.4076/2016 in CRL.A.No.7959/2016

C. Nachiappan Petitioner in all the Crl.OPs.
Appellant/Complainant
Vs

Vishalakshi Respondent in all the Crl.OPs.
Respondent/Accused

COMMON PRAYER: Criminal Original Petitions filed under Section 378 (4) of Criminal Procedure Code to grant leave to file an Appeal against the Judgment dated 12.01.2016 passed in C.C.Nos.14408, 14132 & 14409/2009 on the file of the Metropolitan Magistrate, Fast Track Court No.III, Saidapet, Chennai 600 015.

For Petitioner : Mr.V.V.Sairam

COMMON ORDER

These Criminal Original Petitions have been filed to grant leave to file an Appeal against the Judgment dated 12.01.2016 passed in C.C.Nos.14408, 14132 & 14409/2009 on the file of the Metropolitan Magistrate, Fast Track Court No.III, Saidapet, Chennai 600 015.

2. Heard the learned counsel appearing for the petitioner.

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

4. The complainant initiated three prosecutions in C.C.Nos.14408, 14409 & 14132 of 2009 against the accused for the offence under Section 138 of the Negotiable Instruments Act, in which, the accused in all the three calendar cases was acquitted on 12.01.2016 by the learned Metropolitan Magistrate, Fast Track Court No.III, Saidapet, Chennai. Challenging which, the complainant has preferred the present three appeals against the order of acquittal together with the special leave petitions.

5. Notice has not been served on the accused.

6. In view of the judgment of 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 to the Court of learned Principal District and Sessions Judge, Chennai, after taking photocopy of the file, within a period of four weeks from the date of receipt of a copy of this order.

7. The complainant is directed to appear before the learned Principal District and Sessions Judge, Chennai, at 10.30 a.m. on 04.12.2017. Accordingly, the Criminal Original Petitions are ordered. Consequently, Criminal Appeal SR.Nos.7961,7957, 7959 of 2016 are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gv

To

1. The Principal District and Sessions Judge,
Chennai.
2. The Metropolitan Magistrate,
Fast Track Court No.III, Saidapet,
Chennai
3. -do- Thro' The chief Judicial Magistrate,
Egmore, Chennai.
4. The Section Officer,
Criminal Section,
High Court, Madras.
(To send the records to the
Principal District and Sessions Judge, Chennai.)

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GJ(CO)
CS/20/11/17