

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 18.03.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Criminal Appeal No.206 of 2012

Visalakshi @ Papathi : Appellant

Vs

1. S. Nagaraj

2. Sagunthala

3. Nachimuthu Gounder

4. Thulasiammal

5. Jeeva @ Jeevanandam

6. Savithri

7. Subramaniam : Respondents

Prayer: Criminal Appeal is filed under Section 378 of the code of Criminal Procedure to set aside the Judgment made in CC No.61 of 2009 dated 11.10.2011 by the Judicial Magistrate, Sathyamangalam.

For Appellant : Ms. V.S. Usha Rani, Ms. G. Preety

For Respondents : M/s. I.C. Vasudevan
Ms.R. Nirmala

J U D G M E N T

Today, when this Criminal appeal is taken up for hearing, the records perused and on perusal of the same, it indicates that the Criminal Appeal against the order of acquittal passed by the Judicial Magistrate, Sathyamangalam in CC No.61 of 2009 dated 11.10.2001, ought to have been filed before the Sessions Court at Erode, which is the Appellate Forum. As per the proviso of Section 372 of Cr.P.C, the said issue regarding the jurisdiction has been settled by this Court in the batch of petitions filed before this Court vide order dated 14.11.2016

following the Full Bench Judgment in Ganapathy Vs. Senthilvel reported in 2016 (4) CTC 199.

2. Accordingly, the Appeal papers are transferred to the Principal District and Sessions Court, Erode. The learned Principal District and Sessions Judge shall either dispose of the appeal or make over the same to the Additional Sessions Court for disposal in accordance with law after due notice to the parties.

3. Registry is directed to send back the records to the Principal District and Sessions Court, Erode forthwith alongwith the appeal papers.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

vrn
To

1. The Principal District and Sessions Judge, Erode
2. The Judicial Magistrate, Sathyamangalam.
3. The Public Prosecutor
High Court
Madras
4. The Section Officer,
VR Section, High Court, Madras.

सत्यमेव जयते

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CSL/27.04.2019

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