

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 22.11.2017
CORAM
THE HONOURABLE MR.JUSTICE P.N.PRAKASH
Crl.A.No.594 of 2014

P.Velusamy ... Appellant

Vs

G.Swarnabai ... Respondent

Prayer:- Criminal Appeal filed under Section 378 (4) of the Code of Criminal Procedure against the order of dismissal of the complaint in C.C.No.7324 of 2013 dated 25.07.2014 on the file of the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Chennai.

For Appellant : Mr.K.Raghupathy

JUDGMENT

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

2.The complainant has initiated a prosecution in C.C.No.7324 of 2013 against the accused for the offence under Section 138 of the Negotiable Instruments Act, in which, the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Chennai, has dismissed the complaint on the ground that the complainant was not interested in prosecuting the case properly. Aggrieved over the same, the complainant has filed the present appeal before this Court.

3.Heard the learned counsel appearing 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 the Full Bench of this Court in S.Ganapathy Vs. N. Senthilvel [(2016) 3 MLJ (Crl) 641 (FB)], this Court has no jurisdiction to entertain this appeal and therefore, the Registry is directed to transmit all the papers to the Principal Judge, City Civil Court, Chennai, within a

period of four weeks from the date of receipt of a copy of this order, after retaining the photo copies of the papers on file.

The complainant shall appear before the learned Principal Judge, City Civil Court, Chennai, on 05.01.2018 at 10.30 a.m.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mps

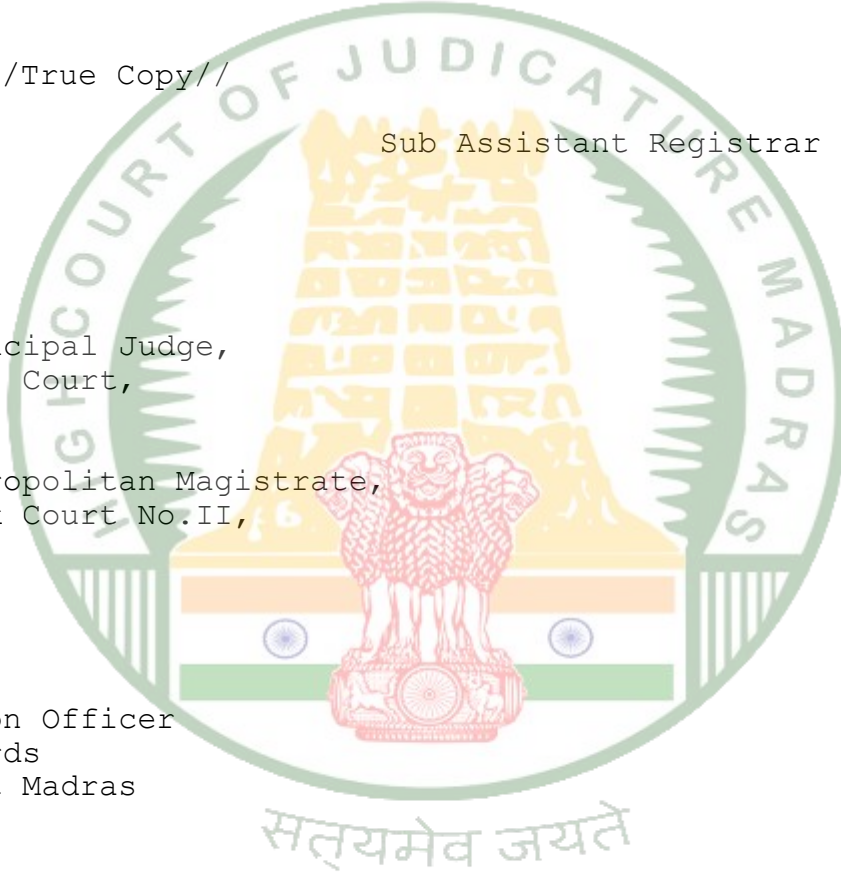
To

1.The Principal Judge,
City Civil Court,
Chennai.

2.The Metropolitan Magistrate,
Fast Track Court No.II,
Egmore,
Chennai.

copy to

The Section Officer
Crl. Records
High Court Madras



Crl.A.No.594 of 2014

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