

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
Tr.Crl.P.Nos.169 and 170 of 2015

COMMON ORDER :

These two petitions are filed by the self-same petitioner against the self-same respondents under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') seeking to withdraw and transfer C.C.No.1142 of 2014(in Tr.Crl.P.No.169 of 2015) and C.C.No.1143 of 2015 (in Tr.Crl.P.No.170 of 2015) taken cognizance for the offence punishable under Section 138 of the Negotiable Instruments Act(for short, 'the N.I. Act') on the report of the 1st respondent-defacto-complainant, from the Court of the II Additional Judicial Magistrate of First Class, Nellore, to any Court of Judicial Magistrate of First Class, Vijayawada.

2. After elaborate hearing on both sides, both the cases viz; C.C.No.1142 of 2014 (in Tr.Crl.P.No.169 of 2015) and C.C.No.1143 of 2015 (in Tr.Crl.P.No.170 of 2015) are transferred from the Court of II Additional Judicial Magistrate of First Class, Nellore, to the Court of Principal Junior Civil Judge, Ongole, Prakasam district. The petitioner/accused is permitted to file an application under Section 205 of Cr.P.C. with a notice to the complainant-1st respondent in both the cases, in such an event, the learned Magistrate to hear and pass orders by permitting him to represent through special vakalath holder with necessary conditions unless personal appearance is required for any particular adjournments. Needless to say the personal appearance of the complainant also need not be insisted after being represented through advocate during trial.

3. With the above observations, both the Transfer Criminal Petitions Tr.Crl.P.No.169 of 2015 and Tr.Crl.P.No.170 of 2015 are

disposed of. Consequently, miscellaneous petitions, if any pending, in these Transfer Criminal Petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 02.09.2015

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