

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

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Tr.Crl.P. Nos.110, 111, 112 and 113 of 2015

COMMON ORDER :

The accused by name G.Venkata Rao of four Criminal cases vide CC No.538 of 2015, 541 of 2015, 539 of 2015 and 540 of 2015 on the file of the XXIV Metropolitan Magistrate, Cyberabad, Miyapur at Kukatpally, registered for the offences punishable under Sections 138 and 142 of N.I Act.

2) All the cases said to have been outcome of eight cheques said to have been issued each for Rs.10 lakhs from dishonour of the cheques when presented and from the statutory notices issued and from the cause of action accrued filed the complaints invoking Section 142 of N.I.Act for the offence under Section 138 of N.I Act.

3) The expression of the Apex Court in ***Dasharath Rupsingh Rathod vs State of Maharashtra*** particularly at para No.20, speaks that for other matters that are reached the stage of 145 (2) of N.I Act, by virtue of the expression of Apex Court under Section 406 Cr.P.C deemed transferred to the Court where it is pending irrespective of lack of jurisdiction to trial Court by conferring jurisdiction. It nowhere stated that under Section 407 Cr.P.C the High Court in such case cannot transfer any case further for any exigencies.

4) Having regard to the above, it is just and necessary to transfer all the cases to the file of V Special Magistrate, Erramanzil, Hyderabad to try along with CC No.139 of 2015 by posting to single date all cases respectively and to conduct trial simultaneously and to pronounce judgment on same date.

5) Accordingly, these Transfer Criminal Petitions are allowed.

6) Needless to say the learned Magistrate shall take every endeavor to dispose of all cases preferably within three months from the date of receipt of a

copy of the Order, as the trial is summary in nature by invoking Section 143 of N.I Act.

7) As a sequel, miscellaneous petitions pending, if any, in this Transfer criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

08.06.2015

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