

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TR.CRIMINAL PETITION No.108 of 2015

ORDER :

This Transfer Criminal Petition is filed by the Petitioner under Section 407 Cr.P.C seeking to transfer C.C. No.32 of 2015 on the file of Judicial Magistrate of the First Class, Achampet, Mahaboobnagar District to the Court of Special Magistrate, Hayath Nagar, Ranga Reddy District to be tried along with C.C. No.54 of 2013 and C.C. No.56 of 2012.

2) Heard the learned counsel for the petitioner and the 2nd respondent-State represented by the Public Prosecutor before admission and before ordering notice to the 2nd respondent and perused the material on record and taken the 2nd respondent as heard.

3) It is submitted that the present calendar case was previously pending before the Judicial Magistrate of the First Class, Achampet (and later on administrative side transferred following the expression in ***Dasarath Roop Singh V. State of Maharashtra***^[1]). It is the submission that the 1st respondent/complainant herein and her brother Satyanarayana were the complainants in C.C. No.54 of 2013 and 56 of 2012 which are pending on the file of Special Magistrate, Hayathnagar, Cyberabad for the dishonour of two cheques and the defence of the

petitioner/accused is that said Satayanarayana obtained five blank cheques and by filing three cases for three cheques and the defence is almost common and thereby this case is to be transferred to the Special Magistrate, Cyberabad at Hayathnagar, where the other two cases are pending for appreciation of the common defence while trying simultaneously and independently by the same Court.

4) Having regard to the above, the transfer criminal petition is allowed and C.C. No.32 of 2015 on the file of Judicial Magistrate of the First Class, Achampet, Mahabubnagar District is withdrawn from its file and transferred the same to the file of Special Magistrate, Cyberabad at Hayathnagar, Ranga Reddy District to be tried along with other cases pending between the same parties. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

10.07.2015
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[\[1\]](#) 2014(3) ALT (CrI.)(SC) 129