

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.2045 OF 2015

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ORDER:

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This Criminal Revision Case is filed by A.2 challenging the order of the Principal District and Sessions Judge, Srikakulam, dated 23.07.2015 whereby the learned Judge dismissed CrI.M.P.No.124 of 2015 filed by the petitioner herein invoking the provision under Section 408(1)(2) Cr.P.C. to transfer C.C.No.218 of 2012 from the file of Special Judicial Magistrate of First Class (Prohibition & Excise), Srikakulam to the Court of Judicial Magistrate of First Class, Tekkali.

Heard and perused the material on record.

Earlier, the petitioner herein approached this Court seeking transfer of the C.C. and the said C.C. was also transferred as per the request of the petitioner. Now, the only ground on which the petitioner seeks transfer of the C.C. is that he is residing at Naupada Village, Santhabommali Mandal in Srikakulam District and that his bank is also situated within the jurisdiction of Court at Tekkali. The said reason is not at all a ground to transfer the C.C. Further the Court below observed that at the fag end of the trial and when the case is posted for the evidence of the petitioner-accused and even after 20 adjournments, the petitioner has not chosen to adduce evidence and instead, filed the present application only with an intent to drag on the matter. As observed by the Court below, only to drag on the matter, the petitioner appears to have resorted to filing the present application and the revision is liable to be dismissed.

The Criminal Revision Case is accordingly dismissed.

Consequently, miscellaneous petitions, if any, pending,
shall stand closed.

JUSTICE RAJA ELANGO

29.09.2015

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