

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

Tr.CRIMINAL PETITION No.244 OF 2015

ORDER:

1 This petition is filed under Section 407 Cr.P.C seeking to withdraw C.C.No.46 of 2015 pending on the file of the Court of the Special Judge for SPE & ACB cases, Karimnagar and transfer the same to the Court of the Principal Special Judge for SPE & ACB cases, Hyderabad.

2 The learned counsel for the petitioner submitted that initially Cr.No.2/ACB-CIU-HYD/2003 was registered against the petitioner for the offences punishable under Sections 13 (2) read with Section 13 (1) (e) of Prevention of Corruption Act. After completion of investigation, charge sheet was filed against the petitioner for the offences punishable under Sections 13 (2) read with Section 13 (1) (e) of Prevention of Corruption Act and the same was taken on file as C.C.No.38 of 2007 on the file of the Principal Special Judge for SPE & ACB cases, Hyderabad. It is further submitted that during the course of trial as many as 50 witnesses were examined. At that stage, after constitution of the ACB Court at Karimnagar, the matter was transferred to the ACB Court at Karimnagar on point of jurisdiction and numbered as C.C.No.46 of 2015.

3 At the time of arguments, the learned counsel for the petitioner and the learned Special Public Prosecutor, in one voice, submitted that in the interest of both parties, the matter may be transferred to the Court of the Principal Special Judge for SPE & ACB cases, Hyderabad. Even if the case is transferred to the ACB Court at Hyderabad, no prejudice will be caused either to the prosecution or the petitioner / accused since almost all the witnesses were examined when the matter was pending in ACB Court at Hyderabad.

4 Having regard to the facts and circumstances of the case and in view of the submissions made by the learned counsel for the petitioner as well as the Special Public Prosecutor representing the State, this petition is allowed, C.C.No.46 of 2015 pending on the file of the Court of the Special Judge for SPE & ACB cases, Karimnagar is withdrawn from the file of the said Court and transferred to the Court of the Principal Special Judge for SPE & ACB cases, Hyderabad. As a sequel, the miscellaneous petitions, pending in this petition, if any, shall stand closed.

T. SUNIL CHOWDARY, J

Date: 24th November, 2015

Kvsn